

# HOUSE BILL 277

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71r0645

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By: **Delegate Rosenberg**

Introduced and read first time: January 31, 2007

Assigned to: Economic Matters

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Committee Report: Favorable

House action: Adopted

Read second time: February 22, 2007

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Workers' Compensation – Covered Employee – Domestic Worker**

3 FOR the purpose of altering the earnings level above which a domestic worker in a  
4 private home is a covered employee; and generally relating to the earnings  
5 threshold for a domestic worker under workers' compensation law.

6 BY repealing and reenacting, with amendments,  
7 Article – Labor and Employment  
8 Section 9–209  
9 Annotated Code of Maryland  
10 (1999 Replacement Volume and 2006 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
12 MARYLAND, That the Laws of Maryland read as follows:

13 **Article – Labor and Employment**  
14 9–209.

15 (a) An individual who is employed as a domestic [servant] **WORKER** in a  
16 private home is a covered employee with respect to a household if the individual earns  
17 at least [\$750] **\$1,000** in cash in a calendar quarter from that household.

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### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (b) (1) Except as provided in paragraph (3) of this subsection, an  
 2 individual and the employer of the individual may elect to make the individual a  
 3 covered employee by filing a joint election with the Commission, if the individual:

4 (i) is employed as a domestic [servant] **WORKER** in a private  
 5 home; and

6 (ii) would not be a covered employee with respect to a household  
 7 under the provisions of subsection (a) of this section because the individual earns less  
 8 than [\$750] **\$1,000** in cash in a calendar quarter from that household.

9 (2) The right to make an election under paragraph (1) of this  
 10 subsection for an individual may be exercised by:

11 (i) an individual who is at least 16 years old; or

12 (ii) a parent or guardian of an individual who is less than 16  
 13 years old.

14 (3) For an individual who is not a covered employee due to § 9-223(c)  
 15 of this subtitle, an employer may not make an election under this subsection if  
 16 prohibited by federal law.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
 18 October 1, 2007.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.