

HOUSE BILL 1267

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By: **Delegate Valderrama**

Introduced and read first time: February 10, 2017

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Workers' Compensation – Members of Volunteer Company – Computation of**
3 **Average Weekly Wage**

4 FOR the purpose of altering the wages used for the purpose of computing the average
5 weekly wage of certain covered employees who are members of a volunteer company;
6 and generally relating to workers' compensation for members of volunteer
7 companies.

8 BY repealing and reenacting, with amendments,
9 Article – Labor and Employment
10 Section 9–602(g)
11 Annotated Code of Maryland
12 (2016 Replacement Volume)

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

15 **Article – Labor and Employment**

16 9–602.

17 (g) (1) Subject to paragraph (2) of this subsection, for the purpose of computing
18 the average weekly wage of an individual who is a covered employee under § 9–234 of this
19 title, the wages of the covered employee shall be:

20 (i) for a covered employee who received a salary or wages from other
21 employment at the time of the accidental personal injury or last injurious exposure, the
22 salary or wages from the other employment; or

23 (ii) for a covered employee who did not receive a salary or wages from
24 other employment at the time of the accidental personal injury or last injurious exposure:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 1. if the covered employee derived income from a source other
2 than salary or wages at the time of the accidental personal injury or last injurious exposure,
3 an amount that allows the maximum compensation under this title;

4 2. if the covered employee was not engaged in a business
5 enterprise at the time of the accidental personal injury or last injurious exposure, **THE**
6 **GREATER OF:**

7 **A.** the weekly income last received by the covered employee
8 when engaged in a business enterprise; or

9 **B.** **AN AMOUNT THAT EQUALS TWO-THIRDS OF THE**
10 **STATE AVERAGE WEEKLY WAGE AS DETERMINED UNDER § 9-603 OF THIS SUBTITLE;**
11 **OR**

12 3. if the covered employee had never been engaged in a
13 business enterprise at the time of the accidental personal injury or last injurious exposure,
14 an amount that [allows the minimum compensation under this title] **EQUALS**
15 **TWO-THIRDS OF THE STATE AVERAGE WEEKLY WAGE AS DETERMINED UNDER §**
16 **9-603 OF THIS SUBTITLE.**

17 (2) A yearly stipend of \$5,200 or less to help offset out-of-pocket expenses
18 that a volunteer company, as defined in § 9-234 of this title, pays to a member may not be
19 used when determining the average weekly wage of the member.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
21 1, 2017.