

EMERGENCY BILL

(PRE-FILED)

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CF 6lr1473

6lr1310

By: The President (Rules Committee)

Requested: November 15, 1995

Introduced and read first time: January 10, 1996

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Workers' Compensation - Self-Insurance Correction**

3 FOR the purpose of making a technical correction in a provision relating the assessment
4 of a tax on self-insurers by the Workers' Compensation Commission; making this
5 Act an emergency measure; and generally relating to assessments against
6 self-insurers under the Workers' Compensation Law.

7 BY repealing and reenacting, with amendments,
8 Article - Labor and Employment
9 Section 9-316(a)
10 Annotated Code of Maryland
11 (1991 Volume and 1995 Supplement)

12 BY repealing and reenacting, without amendments,
13 Article - Labor and Employment
14 Section 9-402(a)
15 Annotated Code of Maryland
16 (1991 Volume and 1995 Supplement)

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

19 **Article - Labor and Employment**

20 9-316.

21 (a) (1) In this section the following words have the meanings indicated.

22 (2) "Insured payroll" means the payroll of an employer who:

23 (i) is subject to this title; and

24 (ii) has obtained insurance for its covered employees from an insurer.

25 (3) "Insurer" means:

26 (i) a stock corporation or mutual association that is authorized under
27 Article 48A of the Code to provide workers' compensation insurance in the State;

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1 (ii) the Injured Workers' Insurance Fund; or

2 (iii) a self-insurance group authorized under § 9-402(a)[(4)] of this
3 title.

4 9-402.

5 (a) Subject to subsections (b) through (f) of this section, each employer shall
6 secure compensation for covered employees of the employer by:

7 (1) maintaining insurance with the Injured Workers' Insurance Fund;

8 (2) maintaining insurance with an authorized insurer;

9 (3) participating in a governmental self-insurance group that meets the
10 requirements of § 9-404 of this subtitle;

11 (4) participating in a self-insurance group of private employers that meets
12 the requirements of Article 48A, Subtitle 44 of the Code;

13 (5) maintaining self-insurance for an individual employer in accordance
14 with § 9-405 of this subtitle; or

15 (6) having a county board of education secure compensation under §
16 8-401.1(c) of the Education Article.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
18 measure, is necessary for the immediate preservation of the public health and safety, has
19 been passed by a ye and nay vote supported by three-fifths of all the members elected to
20 each of the two Houses of the General Assembly, and shall take effect from the date it is
21 enacted.