
By: **Delegates Pendergrass, Gordon, Frank, and Exum**

Introduced and read first time: January 29, 1998

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Workers' Compensation - Domestic Servants - Election to be Covered**
3 **Employee**

4 FOR the purpose of authorizing, under certain circumstances, an individual who is
5 employed as a domestic servant and is not a covered employee to elect to be
6 considered a covered employee; and providing a certain exception.

7 BY repealing and reenacting, with amendments,
8 Article - Labor and Employment
9 Section 9-209
10 Annotated Code of Maryland
11 (1991 Volume and 1997 Supplement)

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

14 **Article - Labor and Employment**

15 9-209.

16 (A) An individual who is employed as a domestic servant in a private home is
17 a covered employee with respect to a household if the individual earns at least \$750 in
18 cash in a calendar quarter from that household.

19 (B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AN
20 INDIVIDUAL AND THE EMPLOYER OF THE INDIVIDUAL MAY ELECT TO MAKE THE
21 INDIVIDUAL A COVERED EMPLOYEE BY FILING A JOINT ELECTION WITH THE
22 COMMISSION, IF THE INDIVIDUAL:

23 (I) IS EMPLOYED AS A DOMESTIC SERVANT IN A PRIVATE HOME;
24 AND

25 (II) WOULD NOT BE A COVERED EMPLOYEE WITH RESPECT TO A
26 HOUSEHOLD UNDER THE PROVISIONS OF SUBSECTION (A) OF THIS SECTION
27 BECAUSE THE INDIVIDUAL EARNS LESS THAN \$750 IN CASH IN A CALENDAR
28 QUARTER FROM THAT HOUSEHOLD.

1 (2) FOR AN INDIVIDUAL WHO IS NOT A COVERED EMPLOYEE DUE TO §
2 9-223(C) OF THIS SUBTITLE, AN EMPLOYER MAY NOT MAKE AN ELECTION UNDER
3 THIS SUBSECTION IF PROHIBITED BY FEDERAL LAW.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 1998.