

SENATE BILL 314

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1999 Regular Session
9r1623
CF 9r1866

By: **Senators Exum, Mitchell, Della, Conway, and Teitelbaum**
Introduced and read first time: February 5, 1999
Assigned to: Finance

Committee Report: Favorable
Senate action: Adopted
Read second time: March 10, 1999

CHAPTER _____

1 AN ACT concerning

2 **Workers' Compensation - Offset of Benefits**

3 FOR the purpose of clarifying that certain workers' compensation benefits should be
4 offset only for a payment of certain disability retirement benefits; and generally
5 relating to the offset of workers' compensation benefits.

6 BY repealing and reenacting, with amendments,
7 Article - Labor and Employment
8 Section 9-610(a)
9 Annotated Code of Maryland
10 (1991 Volume and 1998 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 9-610.

15 (a) (1) Except for benefits subject to an offset under § 29-118 of the State
16 Personnel and Pensions Article, if a statute, charter, ordinance, resolution,
17 regulation, or policy, regardless of whether part of a pension system, provides a
18 benefit to a covered employee of a governmental unit or a quasi-public corporation
19 that is subject to this title under § 9-201(2) of this title or, in case of death, to the
20 dependents of the covered employee, payment of the benefit by the employer satisfies,
21 to the extent of the payment, the liability of the employer and the subsequent injury
22 fund for payment of SIMILAR benefits under this title.

1 (2) If a benefit paid under paragraph (1) of this subsection is less than
2 the benefits provided under this title, the employer, the Subsequent Injury Fund, or
3 both shall provide an additional benefit that equals the difference between the benefit
4 paid under paragraph (1) of this subsection and the benefits provided under this title.

5 (3) The computation of an additional benefit payable under paragraph
6 (2) of this section shall be done at the time of the initial award and may not include
7 any cost of living adjustment after the initial award.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 1999.