

SENATE BILL 485

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1999 Regular Session
9r1990
CF 9r1989

By: **Senator Exum**

Introduced and read first time: February 5, 1999

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Workers' Compensation - Exclusivity of Compensation - Exception -**
3 **Principal Contractor or Subcontractor**

4 FOR the purpose of allowing a certain covered employee of a subcontractor or a
5 certain personal representative or a certain relative to bring a workers'
6 compensation claim or an action for damages against a principal contractor or a
7 subcontractor of a principal contractor under certain circumstances; and
8 generally relating to an exception for a principal contractor or subcontractor to
9 the exclusivity of compensation.

10 BY adding to

11 Article - Labor and Employment
12 Section 9-509(e)
13 Annotated Code of Maryland
14 (1991 Volume and 1998 Supplement)

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

17 **Article - Labor and Employment**

18 9-509.

19 (E) IF A COVERED EMPLOYEE OF A SUBCONTRACTOR THAT HAS SECURED
20 COMPENSATION IN ACCORDANCE WITH THIS TITLE IS INJURED OR KILLED AS THE
21 RESULT OF THE NEGLIGENCE OF A PRINCIPAL CONTRACTOR OR ANOTHER
22 SUBCONTRACTOR OF A PRINCIPAL CONTRACTOR, THEN THE COVERED EMPLOYEE,
23 OR IN THE CASE OF DEATH, THE PERSONAL REPRESENTATIVE, SURVIVING SPOUSE,
24 CHILD, OR DEPENDENT OF THE COVERED EMPLOYEE, WITH RESPECT TO THE
25 PRINCIPAL CONTRACTOR OR THE OTHER SUBCONTRACTOR, MAY:

26 (1) BRING A CLAIM FOR COMPENSATION UNDER THIS TITLE; OR

27 (2) BRING AN ACTION FOR DAMAGES.

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