
By: **Delegate Mitchell**

Introduced and read first time: February 22, 2000

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Workers' Compensation Commission - Location of Hearing**

3 FOR the purpose of altering the location where the Workers' Compensation
4 Commission is required to hold a hearing on a claim; and altering the location of
5 a hearing on a claim filed by an employee of a government agency.

6 BY repealing and reenacting, with amendments,
7 Article - Labor and Employment
8 Section 9-724
9 Annotated Code of Maryland
10 (1999 Replacement Volume)

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 9-724.

15 (a) In this section, "governmental agency" includes:

- 16 (1) a county;
- 17 (2) a county board of education;
- 18 (3) a statutory bicounty agency; and
- 19 (4) an incorporated municipality.

20 (b) Except as provided in subsection (c) of this section, a covered employee
21 may elect to have a hearing on a claim of the covered employee held [in] AT:

22 (1) [the county where the accidental personal injury, compensable
23 hernia, or last injurious exposure to the hazards of the occupational disease allegedly
24 occurred] A REGIONAL HEARING LOCATION DETERMINED BY THE COMMISSION TO
25 BE CONVENIENT TO ALL PARTIES;

1 (2) A REGIONAL HEARING LOCATION THAT COVERS the county where
2 the covered employee resided when the accidental personal injury, or compensable
3 hernia, or last injurious exposure to the hazards of the occupational disease allegedly
4 occurred; or

5 (3) Baltimore City.

6 (c) (1) Unless the covered employee objects, if the employer is a
7 governmental agency, the Commission shall conduct a hearing in the county in which
8 the governmental agency is located, provided that hearings of the Commission are
9 scheduled in that county.

10 (2) IF HEARINGS ARE NOT CONDUCTED IN THE COUNTY IN WHICH THE
11 GOVERNMENTAL AGENCY IS LOCATED, A HEARING MAY BE HELD IN THE REGIONAL
12 HEARING LOCATION NEAREST THAT COUNTY'S GOVERNMENT OFFICES.

13 (d) A covered employee shall notify the Commission of an election under this
14 section within 10 days after the parties are notified of the hearing.

15 (e) The Commission may deny an election to hold a hearing in Baltimore City,
16 if:

17 (1) the accidental personal injury, compensable hernia, or last injurious
18 exposure to the hazards of the occupational disease allegedly occurred outside of
19 Baltimore City;

20 (2) the covered employee did not reside in Baltimore City when the
21 accidental personal injury, compensable hernia, or last injurious exposure to the
22 hazards of the occupational disease allegedly occurred; and

23 (3) the Commission finds that holding the hearing in Baltimore City
24 would inconvenience a party.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2000.