

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL NO. 122

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 5 and 6 and 9, in each instance, strike “or the Court of Special Appeals”; in line 12, strike “less than a certain number of days before a certain trial or a certain hearing” and substitute “under certain circumstances”; and in line 17, before “providing” insert “providing certain exceptions, to a requirement of mandatory suspension of further proceedings in a workers’ compensation appeal in the Court of Special Appeals and remand of a case to the Commission if an impleader of the Fund is filed, for an impleader filed in bad faith or without substantial justification”.

AMENDMENT NO. 2

On page 2, in line 10, strike “or the Court of Special Appeals”; in line 11, strike “45” and substitute “60”; in line 12, before “TRIAL” insert “SCHEDULED”; in lines 12 and 13, strike “IN THE CIRCUIT COURT OR AT LEAST 45 DAYS BEFORE THE HEARING IN THE COURT OF SPECIAL APPEALS”; and strike beginning with “LESS” in line 18 down through “APPEALS” in line 20 and substitute “AT ANY OTHER TIME”.

AMENDMENT NO. 3

On page 2, after line 32, insert:

“(3) IF THE SUBSEQUENT INJURY FUND IS IMPEADED ON APPEAL BEFORE THE COURT OF SPECIAL APPEALS AND UNLESS THE COURT FINDS THAT THE IMPLEADER WAS FILED IN BAD FAITH OR WITHOUT SUBSTANTIAL JUSTIFICATION, THE COURT SHALL:

(I) SUSPEND FURTHER PROCEEDINGS; AND

(II) REMAND THE CASE TO THE COMMISSION FOR FURTHER PROCEEDINGS TO GIVE THE SUBSEQUENT INJURY FUND AN OPPORTUNITY TO DEFEND AGAINST THE CLAIM.”.