
By: **Montgomery County Delegation**
Introduced and read first time: February 6, 2004
Assigned to: Economic Matters

Committee Report: Favorable
House action: Adopted
Read second time: March 16, 2004

CHAPTER _____

1 AN ACT concerning

2 **Workers' Compensation - Montgomery County Deputy Sheriffs**
3 **MC 412-04**

4 FOR the purpose of providing for enhanced workers' compensation benefits for
5 Montgomery County deputy sheriffs for a compensable permanent partial
6 disability of less than a certain number of weeks; providing for the application of
7 this Act; and generally relating to workers' compensation benefits for
8 Montgomery County deputy sheriffs.

9 BY repealing and reenacting, with amendments,
10 Article - Labor and Employment
11 Section 9-628
12 Annotated Code of Maryland
13 (1999 Replacement Volume and 2003 Supplement)

14 BY repealing and reenacting, without amendments,
15 Article - Labor and Employment
16 Section 9-629
17 Annotated Code of Maryland
18 (1999 Replacement Volume and 2003 Supplement)

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

1

Article - Labor and Employment

2 9-628.

3 (a) In this section "public safety employee" means:

4 (1) a firefighter, fire fighting instructor, or paramedic employed by:

5 (i) a municipal corporation;

6 (ii) a county;

7 (iii) the State;

8 (iv) the State Airport Authority; or

9 (v) a fire control district;

10 (2) a volunteer firefighter or volunteer ambulance, rescue, or advanced
11 life support worker who is a covered employee under § 9-234 of this title and who
12 provides volunteer fire or rescue services to:

13 (i) a municipal corporation;

14 (ii) a county;

15 (iii) the State;

16 (iv) the State Airport Authority; or

17 (v) a fire control district;

18 (3) a police officer employed by:

19 (i) a municipal corporation;

20 (ii) a county;

21 (iii) the State;

22 (iv) the State Airport Authority; or

23 (v) the Maryland-National Capital Park and Planning

24 Commission; [or]

25 (4) a Prince George's County deputy sheriff; OR

26 (5) A MONTGOMERY COUNTY DEPUTY SHERIFF.

27 (b) Except as provided in subsections (f) and (g) of this section, if a covered
28 employee is awarded compensation for less than 75 weeks in a claim arising from
29 events occurring on or after January 1, 1988, the employer or its insurer shall pay the

1 covered employee compensation that equals one-third of the average weekly wage of
2 the covered employee but does not exceed \$80.

3 (c) Except as provided in subsections (f) and (g) of this section, if a covered
4 employee is awarded compensation for less than 75 weeks in a claim arising from
5 events occurring on or after January 1, 1989, the employer or its insurer shall pay the
6 covered employee compensation that equals one-third of the average weekly wage of
7 the covered employee but does not exceed \$82.50.

8 (d) Except as provided in subsections (f) and (g) of this section, if a covered
9 employee is awarded compensation for less than 75 weeks in a claim arising from
10 events occurring on or after January 1, 1993, the employer or its insurer shall pay the
11 covered employee compensation that equals one-third of the average weekly wage of
12 the covered employee but does not exceed \$94.20.

13 (e) Except as provided in subsections (f) and (g) of this section, if a covered
14 employee is awarded compensation for less than 75 weeks in a claim arising from
15 events occurring on or after January 1, 2000, the employer or its insurer shall pay the
16 covered employee compensation that equals one-third of the average weekly wage of
17 the covered employee but does not exceed \$114.

18 (f) If a covered employee is awarded compensation for less than 75 weeks for
19 a disability listed in § 9-627(b) of this subtitle, the employer or its insurer shall pay
20 the covered employee weekly compensation at the rate set for an award of
21 compensation for a period greater than or equal to 75 weeks but less than 250 weeks
22 under § 9-629 of this subtitle.

23 (g) If a public safety employee is awarded compensation for less than 75
24 weeks, the employer or its insurer shall pay the public safety employee compensation
25 at the rate set for an award of compensation for a period greater than or equal to 75
26 weeks but less than 250 weeks under § 9-629 of this subtitle.

27 9-629.

28 If a covered employee is awarded compensation for a period equal to or greater
29 than 75 weeks but less than 250 weeks, the employer or its insurer shall pay the
30 covered employee weekly compensation that equals two-thirds of the average weekly
31 wage of the covered employee but does not exceed one-third of the State average
32 weekly wage.

33 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
34 construed to apply only prospectively and may not be applied or interpreted to have
35 any effect on or application to any claims arising from events occurring before the
36 effective date of this Act.

37 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
38 October 1, 2004.

