
By: **Howard County Delegation**

Introduced and read first time: February 10, 2006

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Workers' Compensation - Permanent Partial Disability - Howard County**
3 **Deputy Sheriffs**
4 **Ho. Co. 21-06**

5 FOR the purpose of extending enhanced workers' compensation benefits, under
6 certain circumstances, for certain permanent partial disability claims to Howard
7 County deputy sheriffs; providing for the application of this Act; and generally
8 relating to workers' compensation benefits for Howard 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 2005 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 2005 Supplement)

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

21 **Article - Labor and Employment**

22 9-628.

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

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

25 (i) a municipal corporation;

- 1 (ii) a county;
- 2 (iii) the State;
- 3 (iv) the State Airport Authority; or
- 4 (v) a fire control district;

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

- 8 (i) a municipal corporation;
- 9 (ii) a county;
- 10 (iii) the State;
- 11 (iv) the State Airport Authority; or
- 12 (v) a fire control district;

13 (3) a police officer employed by:

- 14 (i) a municipal corporation;
- 15 (ii) a county;
- 16 (iii) the State;
- 17 (iv) the State Airport Authority; or
- 18 (v) the Maryland-National Capital Park and Planning
19 Commission;

20 (4) a Prince George's County deputy sheriff; [or]

21 (5) a Montgomery County deputy sheriff; OR

22 (6) A HOWARD COUNTY DEPUTY SHERIFF, BUT ONLY WHEN THE
23 DEPUTY SHERIFF IS PERFORMING LAW ENFORCEMENT DUTIES EXPRESSLY
24 REQUESTED, DEFINED, AND AUTHORIZED IN ACCORDANCE WITH A WRITTEN
25 MEMORANDUM OF UNDERSTANDING EXECUTED BETWEEN THE HOWARD COUNTY
26 SHERIFF AND OTHER LAW ENFORCEMENT AGENCIES.

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

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

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

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

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

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

25 9-629.

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

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

35 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
36 October 1, 2006.