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SB 490/05 - FIN

6lr2537

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By: **Senator Astle**
Introduced and read first time: February 1, 2006
Assigned to: Finance

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A BILL ENTITLED

1 AN ACT concerning

2 **Workers' Compensation - Accidental Personal Injury - Definition**

3 FOR the purpose of altering the definition of "accidental personal injury" under
4   workers' compensation laws to include certain requirements; providing for the
5   application of this Act; and generally relating to the definition of "accidental
6   personal injury" under the workers' compensation laws.

7 BY repealing and reenacting, with amendments,
8   Article - Labor and Employment
9   Section 9-101(b)
10   Annotated Code of Maryland
11   (1999 Replacement Volume and 2005 Supplement)

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

14   **Article - Labor and Employment**

15 9-101.

16   (b)   "Accidental personal injury" means:

17   (1)   an accidental injury that:

18   (I)   arises out of and in the course of employment;

19   (II)   ARISES FROM AN IDENTIFIABLE INCIDENT OCCURRING AT
20 SOME REASONABLY DEFINITE TIME; AND

21   (III)   DIRECTLY CAUSES AN OBVIOUS, SUDDEN MECHANICAL OR
22 STRUCTURAL CHANGE IN THE BODY;

23   (2)   an injury caused by a willful or negligent act of a third person
24 directed against a covered employee in the course of the employment of the covered
25 employee; or

1   (3)   a disease or infection that naturally results from an accidental injury
2 that arises out of and in the course of employment, including:

3   (i)   an occupational disease; and

4   (ii)   frostbite or sunstroke caused by a weather condition.

5   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
6 construed to apply only prospectively and may not be applied or interpreted to have
7 any effect on or application to any accidental personal injury before the effective date
8 of this Act.

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