
By: **Senators Conway, Gladden, Hughes, Jones, and McFadden**

Introduced and read first time: February 1, 2006

Assigned to: Finance

Committee Report: Favorable

Senate action: Adopted with floor amendments

Read second time: March 25, 2006

CHAPTER _____

1 AN ACT concerning

2 **Workers' Compensation - Permanent Partial Disability - Office of the Sheriff**
3 **of Baltimore City - Feasibility Study**

4 FOR the purpose of requiring the Baltimore City Department of Finance, in
5 consultation with the Baltimore City Sheriff's Office, to study the feasibility of
6 extending enhanced workers' compensation benefits for certain permanent
7 partial disability claims to sworn officers of the Baltimore City Sheriff's Office;
8 ~~providing for the application of this Act requiring a certain report~~; and generally
9 relating to workers' compensation benefits for sworn officers of the Baltimore
10 City Sheriff's Office.

11 ~~BY repealing and reenacting, with amendments,~~
12 ~~Article Labor and Employment~~
13 ~~Section 9-628~~
14 ~~Annotated Code of Maryland~~
15 ~~(1999 Replacement Volume and 2005 Supplement)~~

16 ~~BY repealing and reenacting, without amendments,~~
17 ~~Article Labor and Employment~~
18 ~~Section 9-629~~
19 ~~Annotated Code of Maryland~~
20 ~~(1999 Replacement Volume and 2005 Supplement)~~

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

~~Article—Labor and Employment~~

1

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;~~

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

26 (5) ~~a Montgomery County deputy sheriff; OR~~

27 (6) ~~A SWORN OFFICER OF THE BALTIMORE CITY SHERIFF'S OFFICE.~~

1 (b) 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, 1988, 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 \$80.

6 (c) 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, 1989, 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 \$82.50.

11 (d) 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, 1993, 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 \$94.20.

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

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

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

30 9-629.

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

36 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
37 MARYLAND, That:

38 (a) The Baltimore City Department of Finance, in consultation with the
39 Baltimore City Sheriff's Office, shall conduct a study of the feasibility of providing
40 enhanced workers' compensation benefits under § 9-628 of the Labor and
41 Employment Article for sworn officers of the Baltimore City Sheriff's Office by

1 including the sworn officers in the definition of "public safety employee" under §
2 9-628(a) of the Labor and Employment Article.

3 (b) The study shall include:

4 (1) a detailed cost estimate; and

5 (2) an analysis of the need for enhanced benefits.

6 (c) On or before December 1, 2006, the Baltimore City Department of Finance
7 shall report to the Baltimore City Senators and the Baltimore City House Delegation
8 on the findings of the feasibility study.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2006.