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By: **Senator Colburn**

Introduced and read first time: February 3, 2006

Assigned to: Finance

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A BILL ENTITLED

1 AN ACT concerning

2 **Workers' Compensation - Presumptions - Lyme Disease**

3 FOR the purpose of repealing a requirement that a paid law enforcement employee of  
 4 the Department of Natural Resources demonstrate that the employee received a  
 5 certain Lyme disease vaccination in order to qualify for a presumption of a  
 6 compensable occupational disease under workers' compensation law; making a  
 7 conforming change; and generally relating to presumptions of compensability  
 8 under workers' compensation law.

9 BY repealing and reenacting, with amendments,  
 10 Article - Labor and Employment  
 11 Section 9-503(d)  
 12 Annotated Code of Maryland  
 13 (1999 Replacement Volume and 2005 Supplement)

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

16 **Article - Labor and Employment**

17 9-503.

18 (d) [(1)] A paid law enforcement employee of the Department of Natural  
 19 Resources who is a covered employee under § 9-207 of this title is presumed to have  
 20 an occupational disease that was suffered in the line of duty and is compensable  
 21 under this title if the employee:

22 (i) is suffering from Lyme disease; AND

23 (ii) was not suffering from Lyme disease before assignment to a  
 24 position that regularly places the employee in an outdoor wooded environment[; and

25 (iii) except as provided in paragraph (2) of this subsection,  
 26 demonstrates that the employee had any Lyme disease vaccination required or made  
 27 available to the employee by the Department of Natural Resources.

1                   (2)       The requirement imposed by paragraph (1)(iii) of this subsection does  
2 not apply to an individual who objects to immunization because it conflicts with the  
3 individual's bona fide religious beliefs and practices].

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