

HOUSE BILL 749

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By: **Montgomery County Delegation and Prince George's County Delegation**
Introduced and read first time: February 8, 2007
Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland–National Capital Park and Planning Commission Park Police –**
3 **Workers' Compensation – Lyme Disease Presumption**

4 **MC/PG 113–07**

5 FOR the purpose of applying the occupational disease presumption under the workers'
6 compensation law to park police officers employed by the Maryland–National
7 Capital Park and Planning Commission (MNCPPC) who contract Lyme disease
8 under specified circumstances; providing that park police officers who are
9 eligible for benefits under this Act shall receive the benefits in addition to
10 certain retirement benefits, subject to a certain adjustment; and generally
11 relating to the occupational disease presumption for Lyme disease under the
12 workers' compensation law.

13 BY repealing and reenacting, with amendments,
14 Article – Labor and Employment
15 Section 9–503 (d) and (e)
16 Annotated Code of Maryland
17 (1999 Replacement Volume and 2006 Supplement)

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

20 **Article – Labor and Employment**

21 9–503.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (d) A paid law enforcement employee of the Department of Natural
2 Resources who is a covered employee under § 9-207 of this title **AND A PARK POLICE**
3 **OFFICER OF THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING**
4 **COMMISSION** is presumed to have an occupational disease that was suffered in the
5 line of duty and is compensable under this title if the employee:

6 (1) is suffering from Lyme disease; and

7 (2) was not suffering from Lyme disease before assignment to a
8 position that regularly places the employee in an outdoor wooded environment.

9 (e) (1) Except as provided in paragraph (2) of this subsection, any paid
10 firefighter, paid fire fighting instructor, sworn member of the Office of the State Fire
11 Marshal, paid police officer, paid law enforcement employee of the Department of
12 Natural Resources, **A PARK POLICE OFFICER OF THE MARYLAND-NATIONAL**
13 **CAPITAL PARK AND PLANNING COMMISSION**, deputy sheriff of Montgomery
14 County, deputy sheriff of Baltimore City, Montgomery County correctional officer,
15 deputy sheriff of Prince George's County, or Prince George's County correctional officer
16 who is eligible for benefits under subsection (a), (b), (c), or (d) of this section shall
17 receive the benefits in addition to any benefits that the individual is entitled to receive
18 under the retirement system in which the individual was a participant at the time of
19 the claim.

20 (2) The benefits received under this title shall be adjusted so that the
21 weekly total of those benefits and retirement benefits does not exceed the weekly
22 salary that was paid to the paid law enforcement employee of the Department of
23 Natural Resources, **A PARK POLICE OFFICER OF THE MARYLAND-NATIONAL**
24 **CAPITAL PARK AND PLANNING COMMISSION**, firefighter, fire fighting instructor,
25 sworn member of the Office of the State Fire Marshal, police officer, deputy sheriff, or
26 Prince George's County or Montgomery County correctional officer.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 2007.