

HOUSE BILL 783

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71r0504

By: **Montgomery County Delegation**

Introduced and read first time: February 9, 2007

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 14, 2007

CHAPTER _____

1 AN ACT concerning

2 **Workers' Compensation – Montgomery County Correctional Officers**

3 **MC 705-07**

4 FOR the purpose of providing for enhanced workers' compensation benefits for certain
5 Montgomery County correctional officers for a compensable permanent partial
6 disability of less than a certain number of weeks; providing for the application
7 of this Act; and generally relating to workers' compensation benefits for
8 Montgomery County correctional officers ~~and deputy sheriff sergeants.~~

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 2006 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 2006 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

3 **Article – Labor and Employment**
4 9–628.

5 (a) In this section, “public safety employee” means:

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

7 (i) a municipal corporation;

8 (ii) a county;

9 (iii) the State;

10 (iv) the State Airport Authority; or

11 (v) a fire control district;

12 (2) a volunteer firefighter or volunteer ambulance, rescue, or advanced
13 life support worker who is a covered employee under § 9–234 of this title and who
14 provides volunteer fire or rescue services to:

15 (i) a municipal corporation;

16 (ii) a county;

17 (iii) the State;

18 (iv) the State Airport Authority; or

19 (v) a fire control district;

20 (3) a police officer employed by:

21 (i) a municipal corporation;

22 (ii) a county;

23 (iii) the State;

- 1 (iv) the State Airport Authority; or
- 2 (v) the Maryland–National Capital Park and Planning
3 Commission;
- 4 (4) a Prince George’s County deputy sheriff;
- 5 (5) a Montgomery County deputy sheriff **OR CORRECTIONAL**
6 **OFFICER**; or
- 7 (6) a Howard County deputy sheriff, but only when the deputy sheriff
8 is performing law enforcement duties expressly requested, defined, and authorized in
9 accordance with a written memorandum of understanding executed between the
10 Howard County Sheriff and other law enforcement agencies.
- 11 (b) 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, 1988, 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 \$80.
- 16 (c) 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, 1989, 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 \$82.50.
- 21 (d) Except as provided in subsections (f) and (g) of this section, if a covered
22 employee is awarded compensation for less than 75 weeks in a claim arising from
23 events occurring on or after January 1, 1993, the employer or its insurer shall pay the
24 covered employee compensation that equals one–third of the average weekly wage of
25 the covered employee but does not exceed \$94.20.
- 26 (e) Except as provided in subsections (f) and (g) of this section, if a covered
27 employee is awarded compensation for less than 75 weeks in a claim arising from
28 events occurring on or after January 1, 2000, the employer or its insurer shall pay the
29 covered employee compensation that equals one–third of the average weekly wage of
30 the covered employee but does not exceed \$114.
- 31 (f) If a covered employee is awarded compensation for less than 75 weeks for
32 a disability listed in § 9–627(b) of this subtitle, the employer or its insurer shall pay
33 the covered employee weekly compensation at the rate set for an award of

1 compensation for a period greater than or equal to 75 weeks but less than 250 weeks
2 under § 9–629 of this subtitle.

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

7 9–629.

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

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
14 construed to apply only prospectively and may not be applied or interpreted to have
15 any effect on or application to any claims arising from events occurring before the
16 effective date of this Act.

17 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2007.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.