

## CHAPTER 230

### (House Bill 277)

AN ACT concerning

#### **Workers' Compensation – Covered Employee – Domestic Worker**

FOR the purpose of altering the earnings level above which a domestic worker in a private home is a covered employee; and generally relating to the earnings threshold for a domestic worker under workers' compensation law.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 9–209  
Annotated Code of Maryland  
(1999 Replacement Volume and 2006 Supplement)

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

#### **Article – Labor and Employment**

9–209.

(a) An individual who is employed as a domestic [servant] **WORKER** in a private home is a covered employee with respect to a household if the individual earns at least [\$750] **\$1,000** in cash in a calendar quarter from that household.

(b) (1) Except as provided in paragraph (3) of this subsection, an individual and the employer of the individual may elect to make the individual a covered employee by filing a joint election with the Commission, if the individual:

(i) is employed as a domestic [servant] **WORKER** in a private home; and

(ii) would not be a covered employee with respect to a household under the provisions of subsection (a) of this section because the individual earns less than [\$750] **\$1,000** in cash in a calendar quarter from that household.

(2) The right to make an election under paragraph (1) of this subsection for an individual may be exercised by:

- (i) an individual who is at least 16 years old; or
  - (ii) a parent or guardian of an individual who is less than 16 years old.
- (3) For an individual who is not a covered employee due to § 9-223(c) of this subtitle, an employer may not make an election under this subsection if prohibited by federal law.

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

**Approved by the Governor, April 24, 2007.**