

Department of Legislative Services
Maryland General Assembly
2007 Session

FISCAL AND POLICY NOTE
Revised

Senate Bill 745

(Howard County Senators)

Finance

Economic Matters

Officer Pieter Lucas Act

This bill clarifies that an auxiliary police officer in Howard County, while on duty, is a covered employee for purposes of workers' compensation.

Fiscal Summary

State Effect: None.

Local Effect: None. The bill clarifies current law.

Small Business Effect: None.

Analysis

Current Law: Auxiliary police officers for Baltimore County, while on duty, are covered employees for purposes of workers' compensation. Members of volunteer police departments are also covered employees, with the exception of volunteer members in Allegany, Carroll, Cecil, Charles, Garrett, Queen Anne's, St. Mary's, Somerset, Washington, and Worcester counties.

Auxiliary police officers are generally distinguished from other volunteer members in that auxiliary officers have full police enforcement authority, including the right to bear a firearm.

Background: A Howard County auxiliary police officer is a private citizen who has been trained to provide uniformed volunteer services. They are not commissioned with

sworn officer status and do not receive compensation for their services. Duties may include accompanying sworn officers on general duty patrol, crowd and traffic control, security surveys, citation of illegally parked vehicles, or other support services.

In 2005, Mr. Pieter Lucas was serving as an auxiliary police officer in Howard County when he was struck by a vehicle, injuring his lower extremities. Howard County argued that Mr. Lucas was not a covered employee, as he received no wages for his service to the police force and did not qualify under the exceptions provided in State law. The Workers' Compensation Commission rejected Howard County's argument and found that Mr. Lucas was a covered employee.

Local Expenditures: There are approximately 25 auxiliary police officers in Howard County. As auxiliary officers work without pay, these officers qualify only for medical expenses and vocational rehabilitation. Howard County, which is self-insured for workers' compensation, estimates that workers' compensation for the county's auxiliary police officers costs approximately \$10,000 per year. A significant personal injury has the potential to increase these costs.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Howard County, Uninsured Employers' Fund, Subsequent Injury Fund, Department of Legislative Services

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