

HOUSE BILL 1015

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By: **Prince George's County Delegation**

Introduced and read first time: February 7, 2008

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Workers' Compensation – Prince George's County Correctional Officers**

3 **PG 328–08**

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

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 2007 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 2007 Supplement)

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

21 **Article – Labor and Employment**

22 9–628.

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (1) a firefighter, fire fighting instructor, or paramedic employed by:
- 2 (i) a municipal corporation;
- 3 (ii) a county;
- 4 (iii) the State;
- 5 (iv) the State Airport Authority; or
- 6 (v) a fire control district;
- 7 (2) a volunteer firefighter or volunteer ambulance, rescue, or advanced
- 8 life support worker who is a covered employee under § 9–234 of this title and who
- 9 provides volunteer fire or rescue services to:
- 10 (i) a municipal corporation;
- 11 (ii) a county;
- 12 (iii) the State;
- 13 (iv) the State Airport Authority; or
- 14 (v) a fire control district;
- 15 (3) a police officer employed by:
- 16 (i) a municipal corporation;
- 17 (ii) a county;
- 18 (iii) the State;
- 19 (iv) the State Airport Authority; or
- 20 (v) the Maryland–National Capital Park and Planning
- 21 Commission;
- 22 (4) a Prince George’s County deputy sheriff **OR CORRECTIONAL**
- 23 **OFFICER**;
- 24 (5) a Montgomery County deputy sheriff or correctional officer; or
- 25 (6) a Howard County deputy sheriff, but only when the deputy sheriff
- 26 is performing law enforcement duties expressly requested, defined, and authorized in

1 accordance with a written memorandum of understanding executed between the
2 Howard County Sheriff and other law enforcement agencies.

3 (b) Except as provided in subsections (f) and (g) of this section, if a covered
4 employee is awarded compensation for less than 75 weeks in a claim arising from
5 events occurring on or after January 1, 1988, the employer or its insurer shall pay the
6 covered employee compensation that equals one-third of the average weekly wage of
7 the covered employee but does not exceed \$80.

8 (c) Except as provided in subsections (f) and (g) of this section, if a covered
9 employee is awarded compensation for less than 75 weeks in a claim arising from
10 events occurring on or after January 1, 1989, the employer or its insurer shall pay the
11 covered employee compensation that equals one-third of the average weekly wage of
12 the covered employee but does not exceed \$82.50.

13 (d) Except as provided in subsections (f) and (g) of this section, if a covered
14 employee is awarded compensation for less than 75 weeks in a claim arising from
15 events occurring on or after January 1, 1993, the employer or its insurer shall pay the
16 covered employee compensation that equals one-third of the average weekly wage of
17 the covered employee but does not exceed \$94.20.

18 (e) Except as provided in subsections (f) and (g) of this section, if a covered
19 employee is awarded compensation for less than 75 weeks in a claim arising from
20 events occurring on or after January 1, 2000, the employer or its insurer shall pay the
21 covered employee compensation that equals one-third of the average weekly wage of
22 the covered employee but does not exceed \$114.

23 (f) If a covered employee is awarded compensation for less than 75 weeks for
24 a disability listed in § 9-627(b) of this subtitle, the employer or its insurer shall pay
25 the covered employee weekly compensation at the rate set for an award of
26 compensation for a period greater than or equal to 75 weeks but less than 250 weeks
27 under § 9-629 of this subtitle.

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

32 9-629.

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

38 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
39 construed to apply only prospectively and may not be applied or interpreted to have

1 any effect on or application to any claims arising from events occurring before the
2 effective date of this Act.

3 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2008.