

# 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

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Committee Report: Favorable

House action: Adopted

Read second time: March 5, 2008

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## CHAPTER \_\_\_\_\_

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**

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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 9-628.

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

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

4 (i) a municipal corporation;

5 (ii) a county;

6 (iii) the State;

7 (iv) the State Airport Authority; or

8 (v) a fire control district;

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

12 (i) a municipal corporation;

13 (ii) a county;

14 (iii) the State;

15 (iv) the State Airport Authority; or

16 (v) a fire control district;

17 (3) a police officer employed by:

18 (i) a municipal corporation;

19 (ii) a county;

20 (iii) the State;

21 (iv) the State Airport Authority; or

22 (v) the Maryland-National Capital Park and Planning  
23 Commission;

24 (4) a Prince George’s County deputy sheriff **OR CORRECTIONAL**  
25 **OFFICER;**

1 (5) a Montgomery County deputy sheriff or correctional officer; or

2 (6) a Howard County deputy sheriff, but only when the deputy sheriff  
3 is performing law enforcement duties expressly requested, defined, and authorized in  
4 accordance with a written memorandum of understanding executed between the  
5 Howard County Sheriff and other law enforcement agencies.

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

11 (c) 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, 1989, 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 \$82.50.

16 (d) 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, 1993, 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 \$94.20.

21 (e) 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, 2000, 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 \$114.

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

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

35 9-629.

36 If a covered employee is awarded compensation for a period equal to or greater  
37 than 75 weeks but less than 250 weeks, the employer or its insurer shall pay the  
38 covered employee weekly compensation that equals two-thirds of the average weekly

1 wage of the covered employee but does not exceed one-third of the State average  
2 weekly wage.

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

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

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.