

HOUSE BILL 1400

K1

8lr3092

By: **Delegates Wood, Bohanan, Murphy, and O'Donnell**

Introduced and read first time: February 8, 2008

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted with floor amendments

Read second time: March 12, 2008

CHAPTER _____

1 AN ACT concerning

2 **Workers' Compensation – Covered Employees – State Government Volunteer**
3 **Workers**

4 FOR the purpose of providing that a volunteer worker for a unit of State government
5 is a covered employee under the Maryland Workers' Compensation Act;
6 specifying that, for certain purposes, the State is the employer of a certain
7 volunteer worker; ~~using the federal minimum wage in effect at a certain time to~~
8 ~~calculate a certain average weekly wage for certain purposes; limiting the~~
9 ~~benefits provided to a volunteer worker to certain medical services and~~
10 ~~treatment;~~ and generally relating to covered employment under workers'
11 compensation law.

12 BY adding to

13 Article – Labor and Employment

14 Section 9-231.1 ~~and 9-602(m)~~

15 Annotated Code of Maryland

16 (1999 Replacement Volume and 2007 Supplement)

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

19 **Article – Labor and Employment**

20 **9-231.1.**

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 (A) A VOLUNTEER WORKER FOR A UNIT OF STATE GOVERNMENT IS A
2 COVERED EMPLOYEE.

3 (B) FOR THE PURPOSES OF THIS TITLE, THE STATE IS THE EMPLOYER
4 OF AN INDIVIDUAL WHO IS A COVERED EMPLOYEE UNDER THIS SECTION.

5 ~~9-602.~~

6 (C) NOTWITHSTANDING ANY OTHER PROVISION OF THIS TITLE,
7 BENEFITS PROVIDED UNDER THIS SECTION SHALL CONSIST ONLY OF MEDICAL
8 SERVICES AND TREATMENT UNDER SUBTITLE 6, PART IX OF THIS TITLE FOR A
9 COMPENSABLE INJURY.

10 ~~(M) FOR THE PURPOSE OF COMPUTING THE AVERAGE WEEKLY WAGE OF~~
11 ~~A VOLUNTEER WORKER WHO IS A COVERED EMPLOYEE UNDER § 9-231.1 OF~~
12 ~~THIS TITLE, THE WAGES OF THE COVERED EMPLOYEE SHALL BE THE FEDERAL~~
13 ~~MINIMUM WAGE THAT IS IN EFFECT AT THE TIME OF THE ACCIDENTAL~~
14 ~~PERSONAL INJURY OR LAST INJURIOUS EXPOSURE.~~

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 ~~October~~ July 1, 2008.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.