

# SENATE BILL 88

F3, K1

8lr1615

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By: **Senator Edwards**

Introduced and read first time: January 16, 2008

Assigned to: Finance

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Committee Report: Favorable

Senate action: Adopted

Read second time: January 25, 2008

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

1 AN ACT concerning

2 **Allegany County – Workers’ Compensation – Students in Unpaid Work–Based**  
3 **Learning Experiences**

4 FOR the purpose of authorizing the Allegany County Board of Education to waive the  
5 requirement that a participating employer reimburse the county for the cost of  
6 certain workers’ compensation insurance coverage for students placed in unpaid  
7 work–based learning experiences; and generally relating to the waiver of  
8 workers’ compensation reimbursement in connection with unpaid work–based  
9 learning experiences.

10 BY repealing and reenacting, with amendments,  
11 Article – Education  
12 Section 7–114  
13 Annotated Code of Maryland  
14 (2006 Replacement Volume and 2007 Supplement)

15 BY repealing and reenacting, without amendments,  
16 Article – Labor and Employment  
17 Section 9–228(c)  
18 Annotated Code of Maryland  
19 (1999 Replacement Volume and 2007 Supplement)

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

22 **Article – Education**

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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 7-114.

2 (a) (1) In this section the following words have the meanings indicated.

3 (2) "Private noncollegiate institution" means a school or other  
4 institution that is not under the general control and supervision of a county board of  
5 education.

6 (3) "Unpaid work-based learning experience" means a program that  
7 provides a student with structured employer-supervised learning that:

8 (i) Occurs in the workplace;

9 (ii) Links with classroom instruction;

10 (iii) Is coordinated by a county board or private noncollegiate  
11 institution; and

12 (iv) Is conducted in accordance with the terms of an individual  
13 written work-based learning agreement between the county board of education or  
14 private noncollegiate institution placing a participating student and the employer of  
15 that participating student.

16 (b) A student who has been placed with an employer in an unpaid  
17 work-based learning experience coordinated by a county board or private  
18 noncollegiate institution is a covered employee of that employer, as defined in Title 9  
19 of the Labor and Employment Article, for the purposes of coverage under the State  
20 workers' compensation laws.

21 (c) (1) The participating employer where a student is placed in an unpaid  
22 work-based learning experience under this section shall secure workers' compensation  
23 coverage for that student.

24 (2) The participating employer may satisfy its obligation to secure  
25 workers' compensation coverage under this subsection if the county board or private  
26 noncollegiate institution that places the student in the unpaid work-based learning  
27 experience chooses to secure workers' compensation coverage for that student.

28 (d) (1) The county board or private noncollegiate institution that places a  
29 student with an employer in an unpaid work-based learning experience under this  
30 section may secure workers' compensation coverage for that student.

31 (2) Subject to subsection (e) of this section, if a county board or private  
32 noncollegiate institution chooses to secure workers' compensation coverage under this  
33 subsection, the participating employer shall reimburse the county board or private  
34 noncollegiate institution in an amount equal to the lesser of:

1 (i) The cost of the premium for the workers' compensation  
2 insurance coverage; or

3 (ii) A fee of \$250.

4 (e) The **ALLEGANY COUNTY BOARD AND THE** Cecil County Board may  
5 waive the requirement for reimbursement under subsection (d)(2) of this section.

6 **Article - Labor and Employment**

7 9-228.

8 (c) (1) A student is a covered employee when the student has been placed  
9 with an employer in an unpaid work-based learning experience coordinated by a  
10 county board or private noncollegiate institution under § 7-114 of the Education  
11 Article.

12 (2) For purposes of this title, the employer for whom the student  
13 works in the unpaid work-based learning experience is the employer of that student.

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

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.