

SENATE BILL 767

E4, L1

9lr2732
CF 9lr2797

By: **Senator Astle**

Introduced and read first time: February 6, 2009

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Fire, Rescue, and Emergency Medical Services in Anne Arundel County -**
3 **Agreements with Federal Government - Reimbursement**

4 FOR the purpose of requiring that, in Anne Arundel County, any agreement entered
5 into under a certain provision of law between a fire, rescue, or emergency
6 medical services entity and the federal government to provide fire fighting or
7 rescue activities on certain property shall include a provision that entitles the
8 fire, rescue, or emergency medical services entity to obtain a certain
9 reimbursement from the appropriate federal authority; and generally relating to
10 agreements between the federal government and fire, rescue, and emergency
11 medical services entities in Anne Arundel County.

12 BY repealing and reenacting, with amendments,
13 Article – Public Safety
14 Section 7–104
15 Annotated Code of Maryland
16 (2003 Volume and 2008 Supplement)

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

19 **Article – Public Safety**

20 7–104.

21 (a) A fire, rescue, or emergency medical services entity may enter into an
22 agreement with the federal government in accordance with this section to provide fire
23 fighting or rescue activities on property under the jurisdiction of the United States.

24 (b) An agreement entered into under this section shall be limited to the
25 provision of fire fighting or rescue equipment and personnel or both.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (c) An agreement entered into under this section shall include:

2 (1) a waiver by each party of any claim against any other party for
3 compensation for any loss, damage, personal injury, or death that occurs in the
4 performance of the agreement;

5 (2) a provision to indemnify and hold harmless each party to the
6 agreement from any claim by a third party for property damage or personal injury,
7 within the limitations permitted by federal law, that arise out of the activities of each
8 party to the agreement; and

9 (3) [except in Anne Arundel County,] a provision that entitles the fire,
10 rescue, or emergency medical services entity to obtain reimbursement from the
11 appropriate federal authority for all or part of the cost of providing fire protection on
12 property under the jurisdiction of the United States in accordance with federal law.

13 (d) If an individual engaging in an activity authorized under this section
14 sustains an injury that arises out of the activity, the individual is entitled to any or all
15 benefits available under the Maryland Workers' Compensation Act as the primary
16 remedy for reimbursement of expenses for medical bills, loss of earnings, and
17 disability that arises under or as a result of this section.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2009.