

# HOUSE BILL 735

K1

0lr2339

---

By: **Delegate Rosenberg**

Introduced and read first time: February 5, 2010

Assigned to: Economic Matters

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Workers' Compensation – Exemption from Covered Employment –**  
3 **AmeriCorps Program Workers**

4 FOR the purpose of clarifying that work performed under the AmeriCorps program is  
5 not covered employment for purposes of workers' compensation; and generally  
6 relating to coverage of individuals working under an AmeriCorps program  
7 under the workers' compensation law.

8 BY repealing and reenacting, with amendments,  
9 Article – Labor and Employment  
10 Section 9–211, 9–224, and 9–226  
11 Annotated Code of Maryland  
12 (2008 Replacement Volume and 2009 Supplement)

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

15 **Article – Labor and Employment**

16 9–211.

17 An individual is a covered employee if the individual is employed as a helper of  
18 another covered employee with the actual or constructive knowledge of the employer of  
19 the other covered employee, whether paid by the other covered employee or the  
20 employer, **UNLESS THE INDIVIDUAL IS ASSIGNED TO A JOB UNDER AN**  
21 **AMERICORPS PROGRAM.**

22 9–224.

23 (a) An individual is a covered employee while the individual is assigned to a  
24 job under:

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (1)    general public assistance to employables; or

2           (2)    a work experience program that the Department of Human  
3 Resources administers as part of its employment initiatives project.

4           (b)    For the purposes of this title, the Department of Human Resources is the  
5 employer of an individual who is a covered employee under this section.

6           **(C)    AN INDIVIDUAL IS NOT A COVERED EMPLOYEE WHILE THE**  
7 **INDIVIDUAL IS ASSIGNED TO A JOB UNDER AN AMERICORPS PROGRAM.**

8    9–226.

9           (a)    A volunteer aide under § 6–106 of the Education Article is a covered  
10 employee, **UNLESS THE INDIVIDUAL IS ASSIGNED TO A JOB UNDER AN**  
11 **AMERICORPS PROGRAM.**

12           (b)    For the purposes of this title, the Board of School Commissioners of  
13 Baltimore City or the board of education for any other county is the employer of an  
14 individual who is a covered employee under this section in that county.

15           **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**  
16 **October 1, 2010.**