

SENATE BILL 331

K1

5lr2427
CF HB 12

By: **Senator Klausmeier**

Introduced and read first time: February 6, 2015

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 20, 2015

CHAPTER _____

1 AN ACT concerning

2 **Workers' Compensation – Baltimore County Deputy Sheriff**

3 FOR the purpose of altering a certain definition of “public safety employee” to include a
4 deputy sheriff in Baltimore County when performing certain duties for purposes of
5 providing for enhanced compensation benefits under the Workers' Compensation
6 Law for a compensable permanent partial disability of less than a certain number of
7 weeks under certain circumstances; providing for the application of this Act; and
8 generally relating to workers' compensation benefits for deputy sheriffs in Baltimore
9 County.

10 BY repealing and reenacting, with amendments,
11 Article – Labor and Employment
12 Section 9–628(a)
13 Annotated Code of Maryland
14 (2008 Replacement Volume and 2014 Supplement)

15 BY repealing and reenacting, without amendments,
16 Article – Labor and Employment
17 Section 9–628(h) and 9–629
18 Annotated Code of Maryland
19 (2008 Replacement Volume and 2014 Supplement)

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

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.



Article – Labor and Employment

1
2 9–628.

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

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

5 (i) a municipal corporation;

6 (ii) a county;

7 (iii) the State;

8 (iv) the State Airport Authority; or

9 (v) a fire control district;

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

13 (i) a municipal corporation;

14 (ii) a county;

15 (iii) the State;

16 (iv) the State Airport Authority; or

17 (v) a fire control district;

18 (3) a police officer employed by:

19 (i) a municipal corporation;

20 (ii) a county;

21 (iii) the State;

22 (iv) the State Airport Authority;

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

24 or

25 (vi) the Washington Metropolitan Area Transit Authority;

1 (4) a Prince George’s County deputy sheriff or correctional officer;

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

3 (6) an Allegany County deputy sheriff;

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

8 (8) an Anne Arundel County deputy sheriff; OR

9 (9) **A BALTIMORE COUNTY DEPUTY SHERIFF, BUT ONLY WHEN THE**
 10 **DEPUTY SHERIFF IS SUSTAINS AN ACCIDENTAL PERSONAL INJURY THAT ARISES OUT**
 11 **OF AND IN THE COURSE AND SCOPE OF PERFORMING LAW ENFORCEMENT DUTIES**
 12 **EXPRESSLY REQUESTED, DEFINED, AND AUTHORIZED IN ACCORDANCE WITH A**
 13 **WRITTEN MEMORANDUM OF UNDERSTANDING EXECUTED BETWEEN THE**
 14 **BALTIMORE COUNTY SHERIFF AND OTHER LAW ENFORCEMENT AGENCIES**
 15 **DIRECTLY RELATED TO:**

16 (I) **COURTHOUSE SECURITY;**

17 (II) **PRISONER TRANSPORTATION;**

18 (III) **SERVICE OF WARRANTS;**

19 (IV) **PERSONNEL MANAGEMENT; OR**

20 (V) **OTHER ADMINISTRATIVE DUTIES.**

21 (h) If a public safety employee is awarded compensation for less than 75 weeks,
 22 the employer or its insurer shall pay the public safety employee compensation at the rate
 23 set for an award of compensation for a period greater than or equal to 75 weeks but less
 24 than 250 weeks under § 9–629 of this subtitle.

25 9–629.

26 If a covered employee is awarded compensation for a period equal to or greater than
 27 75 weeks but less than 250 weeks, the employer or its insurer shall pay the covered
 28 employee weekly compensation that equals two-thirds of the average weekly wage of the
 29 covered employee but does not exceed one-third of the State average weekly wage.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to
 31 apply only prospectively and may not be applied or interpreted to have any effect on or
 32 application to any claims arising before the effective date of this Act.

1 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2015.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.