

HOUSE BILL 205

K1
HB 1101/17 – ECM

8lr1734

By: Delegates Clippinger and ~~Buckel~~, Buckel, Barkley, Branch, Brooks, Carey, Davis, Fennell, Frick, Glenn, S. Howard, Impallaria, Jameson, Kramer, Lisanti, Mautz, Valderrama, Waldstreicher, and Wilson

Introduced and read first time: January 18, 2018
Assigned to: Economic Matters

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 12, 2018

CHAPTER _____

1 AN ACT concerning

2 **Workers' Compensation – Permanent Partial Disability – State Correctional**
3 **Officers**

4 FOR the purpose of providing for enhanced workers' compensation benefits for a State
5 correctional officer for a compensable permanent partial disability of less than a
6 certain number of weeks; providing for the application of this Act; and generally
7 relating to workers' compensation benefits for State correctional officers.

8 BY repealing and reenacting, with amendments,
9 Article – Labor and Employment
10 Section 9–628(a)
11 Annotated Code of Maryland
12 (2016 Replacement Volume and 2017 Supplement)

13 BY repealing and reenacting, without amendments,
14 Article – Labor and Employment
15 Section 9–628(h) and 9–629
16 Annotated Code of Maryland
17 (2016 Replacement Volume and 2017 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
19 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 Employment1
2 9–628.

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

4 (1) a firefighter, firefighting 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;
- 5 (8) an Anne Arundel County deputy sheriff or detention officer; [or]
- 6 (9) a Baltimore County deputy sheriff, but only when the deputy sheriff
7 sustains an accidental personal injury that arises out of and in the course and scope of
8 performing duties directly related to:
- 9 (i) courthouse security;
- 10 (ii) prisoner transportation;
- 11 (iii) service of warrants;
- 12 (iv) personnel management; or
- 13 (v) other administrative duties; **OR**

14 **(10) A STATE CORRECTIONAL OFFICER.**

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

19 9-629.

20 If a covered employee is awarded compensation for a period equal to or greater than
21 75 weeks but less than 250 weeks, the employer or its insurer shall pay the covered
22 employee weekly compensation that equals two-thirds of the average weekly wage of the
23 covered employee but does not exceed one-third of the State average weekly wage.

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

27 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 2018.