

Chapter 588

(Senate Bill 48)

AN ACT concerning

Workers' Compensation – Permanent Partial Disability – State Correctional Officers

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

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

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

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

Article – Labor and Employment

9–628.

- (a) In this section, “public safety employee” means:
- (1) a firefighter, fire fighting instructor, or paramedic employed by:
 - (i) a municipal corporation;
 - (ii) a county;
 - (iii) the State;
 - (iv) the State Airport Authority; or
 - (v) a fire control district;

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

- (i) a municipal corporation;
- (ii) a county;
- (iii) the State;
- (iv) the State Airport Authority; or
- (v) a fire control district;

(3) a police officer employed by:

- (i) a municipal corporation;
- (ii) a county;
- (iii) the State;
- (iv) the State Airport Authority;
- (v) the Maryland–National Capital Park and Planning Commission;

or

- (vi) the Washington Metropolitan Area Transit Authority;

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

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

(6) an Allegany County deputy sheriff;

(7) a Howard County deputy sheriff;

(8) an Anne Arundel County deputy sheriff or detention officer; **[or]**

(9) a Baltimore County deputy sheriff, but only when the deputy sheriff sustains an accidental personal injury that arises out of and in the course and scope of performing duties directly related to:

- (i) courthouse security;
- (ii) prisoner transportation;

- (iii) service of warrants;
- (iv) personnel management; or
- (v) other administrative duties; **OR**

(10) A STATE CORRECTIONAL OFFICER.

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

9–629.

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

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

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

Approved by the Governor, May 15, 2018.