

HOUSE BILL 810

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By: **Delegate Wivell**

Introduced and read first time: February 3, 2020

Assigned to: Economic Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 9, 2020

CHAPTER _____

1 AN ACT concerning

2 **Workers' Compensation – Washington County – Volunteer Company – Fire and**
3 **Rescue Academy Student**

4 FOR the purpose of providing that a member of a volunteer company in Washington County
5 who is at least a certain age and is enrolled in a certain fire and rescue academy
6 program is a covered employee for the purpose of receiving workers' compensation
7 benefits; and generally relating to workers' compensation insurance for members of
8 volunteer companies in Washington County.

9 BY repealing and reenacting, without amendments,
10 Article – Labor and Employment
11 Section 9–234(a) and (z)
12 Annotated Code of Maryland
13 (2016 Replacement Volume and 2019 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Labor and Employment
16 Section 9–234(w)
17 Annotated Code of Maryland
18 (2016 Replacement Volume and 2019 Supplement)

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

21 **Article – Labor and Employment**

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.



1 9–234.

2 (a) (1) In this section the following words have the meanings indicated.

3 (2) (i) “On duty” means:

4 1. fighting a fire;

5 2. performing a duty of a member of an advanced life support
6 unit or an ambulance, first aid, or rescue squad in a volunteer company;

7 3. except as provided in subparagraph (ii) of this paragraph,
8 performing a duty that the volunteer company assigns to the member;

9 4. performing a duty that a written bylaw or rule of
10 government adopted for the volunteer company assigns to the member;

11 5. going to or from performing a duty included under item 1,
12 2, 3, or 4 of this subparagraph;

13 6. accompanying an accident or fire victim while being
14 transported to a hospital in a helicopter;

15 7. returning to the home station of the individual after
16 accompanying a victim under item 6 of this subparagraph;

17 8. performing a duty assigned to a member of a fire company
18 appointed as a deputy sheriff under § 7–302 or § 7–303 of the Public Safety Article; or

19 9. performing a duty assigned to an individual appointed to
20 serve as a member of the fire police in Washington County under § 7–304 of the Public
21 Safety Article.

22 (ii) “On duty” does not include attendance of a member of a volunteer
23 company at a social function unless a written bylaw or rule of government adopted for the
24 volunteer company requires the attendance or participation of the member.

25 (3) “Volunteer company” means:

26 (i) a volunteer advanced life support unit;

27 (ii) a volunteer ambulance company or squad;

28 (iii) a volunteer fire company or department;

29 (iv) a volunteer rescue company, department, or squad; and

1 (v) a volunteer fire police unit.

2 (w) (1) [Unless] **EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS**
3 **SUBSECTION, UNLESS** an election is made under paragraph (2) of this subsection, a
4 member of a volunteer company in Washington County is not a covered employee.

5 (2) The Board of County Commissioners for Washington County may
6 provide by resolution for members of a volunteer company in the county to be covered
7 employees while on duty.

8 **(3) A MEMBER OF A VOLUNTEER COMPANY IN WASHINGTON COUNTY**
9 **IS A COVERED EMPLOYEE IF THE INDIVIDUAL IS AT LEAST 15 YEARS OLD AND IS**
10 **ENROLLED IN THE FIRE AND RESCUE ACADEMY PROGRAM OPERATED BY THE**
11 **WASHINGTON COUNTY BOARD OF EDUCATION.**

12 (z) (1) For the purposes of this title, a member of a volunteer company who is
13 a covered employee under this section is an employee of the political subdivision of the State
14 where the volunteer company is organized.

15 (2) A member of a volunteer company shall be covered while on duty by a
16 policy of workers' compensation insurance.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
18 1, 2020.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.