

Chapter 332

(House Bill 810)

AN ACT concerning

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

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

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

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

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

Article – Labor and Employment

9–234.

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

(2) (i) “On duty” means:

1. fighting a fire;
2. performing a duty of a member of an advanced life support unit or an ambulance, first aid, or rescue squad in a volunteer company;
3. except as provided in subparagraph (ii) of this paragraph, performing a duty that the volunteer company assigns to the member;
4. performing a duty that a written bylaw or rule of

government adopted for the volunteer company assigns to the member;

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

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

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

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

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

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

(3) “Volunteer company” means:

(i) a volunteer advanced life support unit;

(ii) a volunteer ambulance company or squad;

(iii) a volunteer fire company or department;

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

(v) a volunteer fire police unit.

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

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

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

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

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

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

Enacted under Article II, § 17(c) of the Maryland Constitution, May 8, 2020.