

# HOUSE BILL 1486

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By: **Delegates Arentz, Buckel, McComas, Reilly, and Rose**

Introduced and read first time: February 13, 2026

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Workers' Compensation – Average Weekly Wage – Multiple Employers**

3 FOR the purpose of requiring that the average weekly wages from employments of a  
4 covered employee who, at the time of an accidental personal injury or last injurious  
5 exposure to an occupational disease, was concurrently employed by more than one  
6 employer be combined for purposes of computing the average weekly wages under  
7 certain circumstances; requiring that the Subsequent Injury Fund reimburse an  
8 employer for certain compensation paid by the employer to an employee for  
9 permanent partial and total disability under certain circumstances; and generally  
10 relating to the computation of the average weekly wage of a covered employee.

11 BY adding to  
12 Article – Labor and Employment  
13 Section 9–602(a–1)  
14 Annotated Code of Maryland  
15 (2025 Replacement Volume)

16 BY repealing and reenacting, with amendments,  
17 Article – Labor and Employment  
18 Section 9–602(c), 9–630(b), and 9–637(c)  
19 Annotated Code of Maryland  
20 (2025 Replacement Volume)

21 BY repealing  
22 Article – Labor and Employment  
23 Section 9–602(l)  
24 Annotated Code of Maryland  
25 (2025 Replacement Volume)

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.





1           (2)    if the covered employee did not receive wages for fire fighting or from  
2 other employment at the time of the accidental personal injury or last injurious exposure,  
3 an amount that allows the minimum compensation or death benefits under this title.

4           [(1)   (1)    This subsection applies only to a covered employee who:

5                   (i)    has suffered:

6                           1.    a serious permanent partial disability under § 9–630 of  
7 this subtitle; or

8                           2.    a permanent total disability under § 9–637 of this subtitle;

9                   (ii)   was concurrently employed by more than one employer at the  
10 time of the accidental personal injury;

11                   (iii) worked, on average, 20 hours per week or less in the employment  
12 in which the accidental personal injury occurred; and

13                   (iv)   as a result of the accidental personal injury, is unable to work at  
14 any employment the covered employee was engaged in at the time of the accidental  
15 personal injury or any similar type of employment.

16           (2)    (i)    If the covered employee earned weekly wages from another  
17 employment that exceeded the weekly wages the covered employee earned from the  
18 employment in which the accidental personal injury occurred, the average weekly wage of  
19 the covered employee shall be based on the weekly wages the covered employee earned in  
20 the other employment.

21                   (ii)   If the covered employee earned weekly wages from two or more  
22 other employments and, for more than one of such employments, the weekly wages earned  
23 by the employee exceeded the weekly wages of the covered employee from the employment  
24 in which the accidental personal injury occurred, the average weekly wage of the covered  
25 employee shall be based on weekly wages of the employment where the employee earned  
26 the highest wages.

27           (3)    This subsection may not be interpreted as:

28                   (i)    except as provided in §§ 9–630 and 9–637 of this subtitle,  
29 relieving from liability to pay compensation the employer in whose employment the  
30 accidental personal injury occurred;

31                   (ii)   creating any liability to pay compensation on the part of another  
32 employer in whose employment the accidental personal injury did not occur; or

1 (iii) requiring the weekly wages from the employments the employee  
2 was engaged in at the time of the accidental personal injury to be combined for purposes of  
3 computing the average weekly wage of the covered employee.]

4 9-630.

5 (b) (1) This subsection applies to the payment of weekly compensation  
6 required under subsection (a) of this section if the average weekly wage of a covered  
7 employee is computed under [§ 9-602(l)] **§ 9-602(A-1)** of this subtitle.

8 (2) The employer in whose employment the accidental personal injury **OR**  
9 **LAST INJURIOUS EXPOSURE TO THE OCCUPATIONAL DISEASE** occurred, or the  
10 employer's insurer, shall pay the covered employee weekly compensation that is based on  
11 the weekly wages of the covered employee at the employment in which the covered  
12 employee was injured **OR LAST EXPOSED**.

13 (3) Subject to paragraph (4) of this subsection, any additional weekly  
14 compensation resulting from computing the average weekly wage based on weekly wages  
15 earned by the covered employee in other employment shall be payable in the first instance  
16 by the employer in whose employment the employee was injured **OR LAST EXPOSED**, or  
17 the employer's insurer.

18 (4) Subject to any right of the Subsequent Injury Fund to be impleaded or  
19 any right of the Subsequent Injury Fund to defend in a case involving payment from the  
20 Subsequent Injury Fund created under Title 10, Subtitle 2 of this article, as allowable under  
21 Subtitle 8 of this title, the Subsequent Injury Fund shall reimburse the employer in whose  
22 employment the employee was injured **OR LAST EXPOSED**, or the employer's insurer, the  
23 amount of additional weekly compensation paid by the employer or insurer under  
24 paragraph (3) of this subsection.

25 9-637.

26 (c) (1) This subsection applies to the payment of weekly compensation  
27 required under subsection (a) of this section if the average weekly wage of a covered  
28 employee is computed under [§ 9-602(l)] **§ 9-602(A-1)** of this subtitle.

29 (2) The employer in whose employment the accidental personal injury **OR**  
30 **LAST INJURIOUS EXPOSURE TO THE OCCUPATIONAL DISEASE** occurred, or the  
31 employer's insurer, shall pay the covered employee weekly compensation that is based on  
32 the weekly wages of the covered employee at the employment in which the covered  
33 employee was injured **OR LAST EXPOSED**.

34 (3) Subject to paragraph (4) of this subsection, any additional weekly  
35 compensation resulting from computing the average weekly wage based on weekly wages  
36 earned by the covered employee in other employment shall be payable in the first instance

1 by the employer in whose employment the employee was injured **OR LAST EXPOSED**, or  
2 the employer's insurer.

3 (4) Subject to any right of the Subsequent Injury Fund to be impleaded or  
4 any right of the Subsequent Injury Fund to defend in a case involving payment from the  
5 Subsequent Injury Fund created under Title 10, Subtitle 2 of this article, as allowable under  
6 Subtitle 8 of this title, the Subsequent Injury Fund shall reimburse the employer in whose  
7 employment the employee was injured **OR LAST EXPOSED**, or the employer's insurer, the  
8 amount of additional weekly compensation paid by the employer or insurer under  
9 paragraph (3) of this subsection.

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

13 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
14 October 1, 2026.