



TESTIMONY

COMMITTEE: House Economic Matters

DATE: March 11, 2026

POSITION: Unfavorable

BILL: HB 366

The Maryland Municipal League (MML) opposes House Bill 366, Workers' Compensation - Exemption From Exclusivity of Remedy - Action for Wrongful Death by Nondependent Child.

HB 366 allows a nondependent adult child of a deceased covered employee to pursue a wrongful death action against an employer. Under current law, an employer's liability for a workplace injury or death is exclusive and replaces all tort claims by employees or their dependents, a framework affirmed by Maryland courts as the central component of the workers' compensation system. This bill creates a significant departure from that long-established exclusivity principle.

By carving out an exception, HB 366 would override these holdings and expose local governments and their insurers to tort damages, including noneconomic damages for emotional loss and companionship, as well as jury-driven verdicts. These elements of a wrongful death suit fundamentally differ from the structured and predictable benefits provided by the Workers' Compensation system for over 100 years. Expanding liability outside the this framework would extend local government exposure beyond the calculated and predetermined amounts the system was designed to ensure, thereby raising costs to local governments.

MML understands the intent of the bill and wants to thank the sponsor for discussing the bill with us and leaving open a path for amendments which we are currently considering. However, as of now, the League respectfully requests that the committee provide House Bill 366 with an unfavorable report on the bill as introduced.

For more information relating to this piece of testimony, please contact:

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Municipalities in Maryland support 42,000 jobs and provide \$5.2 billion in employee compensation.