

# HOUSE BILL 12

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(PRE-FILED)

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By: **Delegate Cluster**

Requested: November 6, 2014

Introduced and read first time: January 14, 2015

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Workers' Compensation – Baltimore County Deputy Sheriff**

3 FOR the purpose of altering a certain definition of “public safety employee” to include a  
4 deputy sheriff in Baltimore County when performing certain duties for purposes of  
5 providing for enhanced compensation benefits under the Workers' Compensation  
6 Law for a compensable permanent partial disability of less than a certain number of  
7 weeks under certain circumstances; providing for the application of this Act; and  
8 generally relating to workers' compensation benefits for deputy sheriffs in Baltimore  
9 County.

10 BY repealing and reenacting, with amendments,  
11 Article – Labor and Employment  
12 Section 9–628(a)  
13 Annotated Code of Maryland  
14 (2008 Replacement Volume and 2014 Supplement)

15 BY repealing and reenacting, without amendments,  
16 Article – Labor and Employment  
17 Section 9–628(h) and 9–629  
18 Annotated Code of Maryland  
19 (2008 Replacement Volume and 2014 Supplement)

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

22 **Article – Labor and Employment**

23 9–628.

24 (a) In this section, “public safety employee” means:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (1) a firefighter, fire fighting instructor, or paramedic employed by:
- 2 (i) a municipal corporation;
- 3 (ii) a county;
- 4 (iii) the State;
- 5 (iv) the State Airport Authority; or
- 6 (v) a fire control district;
- 7 (2) a volunteer firefighter or volunteer ambulance, rescue, or advanced life  
8 support worker who is a covered employee under § 9–234 of this title and who provides  
9 volunteer fire or rescue services to:
- 10 (i) a municipal corporation;
- 11 (ii) a county;
- 12 (iii) the State;
- 13 (iv) the State Airport Authority; or
- 14 (v) a fire control district;
- 15 (3) a police officer employed by:
- 16 (i) a municipal corporation;
- 17 (ii) a county;
- 18 (iii) the State;
- 19 (iv) the State Airport Authority;
- 20 (v) the Maryland–National Capital Park and Planning Commission;
- 21 or
- 22 (vi) the Washington Metropolitan Area Transit Authority;
- 23 (4) a Prince George’s County deputy sheriff or correctional officer;
- 24 (5) a Montgomery County deputy sheriff or correctional officer;
- 25 (6) an Allegany County deputy sheriff;

1 (7) a Howard County deputy sheriff, but only when the deputy sheriff is  
2 performing law enforcement duties expressly requested, defined, and authorized in  
3 accordance with a written memorandum of understanding executed between the Howard  
4 County Sheriff and other law enforcement agencies; [or]

5 (8) an Anne Arundel County deputy sheriff; OR

6 **(9) A BALTIMORE COUNTY DEPUTY SHERIFF, BUT ONLY WHEN THE**  
7 **DEPUTY SHERIFF IS PERFORMING LAW ENFORCEMENT DUTIES EXPRESSLY**  
8 **REQUESTED, DEFINED, AND AUTHORIZED IN ACCORDANCE WITH A WRITTEN**  
9 **MEMORANDUM OF UNDERSTANDING EXECUTED BETWEEN THE BALTIMORE**  
10 **COUNTY SHERIFF AND OTHER LAW ENFORCEMENT AGENCIES.**

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

15 9-629.

16 If a covered employee is awarded compensation for a period equal to or greater than  
17 75 weeks but less than 250 weeks, the employer or its insurer shall pay the covered  
18 employee weekly compensation that equals two-thirds of the average weekly wage of the  
19 covered employee but does not exceed one-third of the State average weekly wage.

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

23 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
24 October 1, 2015.