

HOUSE BILL 85

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(PRE-FILED)

1lr1303
CF SB 651

By: **Delegate Bhandari**

Requested: October 30, 2020

Introduced and read first time: January 13, 2021

Assigned to: Economic Matters

Committee Report: Favorable

House action: Adopted

Read second time: February 28, 2021

CHAPTER _____

1 AN ACT concerning

2 **Baltimore County – Workers’ Compensation – Permanent Partial Disability –**
3 **Detention and Correctional Officers**

4 FOR the purpose of providing for enhanced workers’ compensation benefits for a Baltimore
5 County correctional officer and a Baltimore County detention officer for a
6 compensable permanent partial disability of less than a certain number of weeks;
7 providing for the application of this Act; and generally relating to workers’
8 compensation benefits for Baltimore County correctional officers and detention
9 officers.

10 BY repealing and reenacting, with amendments,
11 Article – Labor and Employment
12 Section 9–628(a)
13 Annotated Code of Maryland
14 (2016 Replacement Volume and 2020 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 (2016 Replacement Volume and 2020 Supplement)

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

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.



Article – Labor and Employment

1
2 9–628.

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

4 (1) a firefighter, fire fighting instructor, or paramedic employed by:

5 (i) a municipal corporation;

6 (ii) a county;

7 (iii) the State;

8 (iv) the State Airport Authority; or

9 (v) a fire control district;

10 (2) a volunteer firefighter or volunteer ambulance, rescue, or advanced life
11 support worker who is a covered employee under § 9–234 of this title and who provides
12 volunteer fire or rescue services to:

13 (i) a municipal corporation;

14 (ii) a county;

15 (iii) the State;

16 (iv) the State Airport Authority; or

17 (v) a fire control district;

18 (3) a police officer employed by:

19 (i) a municipal corporation;

20 (ii) a county;

21 (iii) the State;

22 (iv) the State Airport Authority;

23 (v) the Maryland–National Capital Park and Planning Commission;

24 or

25 (vi) the Washington Metropolitan Area Transit Authority;

1 (4) a Prince George's County deputy sheriff or correctional officer;

2 (5) a Montgomery County deputy sheriff or correctional officer;

3 (6) an Allegany County deputy sheriff;

4 (7) a Howard County deputy sheriff;

5 (8) an Anne Arundel County deputy sheriff or detention officer;

6 (9) **A BALTIMORE COUNTY CORRECTIONAL OFFICER OR DETENTION**
7 **OFFICER;**

8 **(10)** a Baltimore County deputy sheriff, but only when the deputy sheriff
9 sustains an accidental personal injury that arises out of and in the course and scope of
10 performing duties directly related to:

11 (i) courthouse security;

12 (ii) prisoner transportation;

13 (iii) service of warrants;

14 (iv) personnel management; or

15 (v) other administrative duties;

16 ~~[(10)]~~ **(11)** a State correctional officer;

17 ~~[(11)]~~ **(12)** a Baltimore City deputy sheriff; or

18 ~~[(12)]~~ **(13)** a Harford County deputy sheriff, correctional officer, or detention
19 officer.

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

24 9–629.

25 If a covered employee is awarded compensation for a period equal to or greater than
26 75 weeks but less than 250 weeks, the employer or its insurer shall pay the covered
27 employee weekly compensation that equals two-thirds of the average weekly wage of the
28 covered employee but does not exceed one-third of the State average weekly wage.

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

4 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2021.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.