

Bill No.: \_\_\_\_\_  
Requested: \_\_\_\_\_  
Committee: \_\_\_\_\_

Drafted by: Butler  
Typed by: Lynn  
Stored – 10/06/15  
Proofread by \_\_\_\_\_  
Checked by \_\_\_\_\_

By: **Senator Guzzone**

A BILL ENTITLED

1 AN ACT concerning

2 **Workers’ Compensation – Permanent Partial Disability – Howard County**  
3 **Deputy Sheriffs**

4 **Ho. Co. X-16**

5 FOR the purpose of altering the circumstances under which Howard County deputy sheriffs  
6 are eligible for enhanced workers’ compensation benefits for certain permanent  
7 partial disability claims; providing for the application of this Act; and generally  
8 relating to workers’ compensation benefits for Howard County deputy sheriffs.

9 BY repealing and reenacting, with amendments,  
10 Article – Labor and Employment  
11 Section 9-628  
12 Annotated Code of Maryland  
13 (2008 Replacement Volume and 2015 Supplement)

14 BY repealing and reenacting, without amendments,  
15 Article – Labor and Employment  
16 Section 9-629  
17 Annotated Code of Maryland  
18 (2008 Replacement Volume and 2015 Supplement)

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter deleted from existing law.

**\*1r0738\***

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

3 **Article – Labor and Employment**

4 9–628.

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

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

7 (i) a municipal corporation;

8 (ii) a county;

9 (iii) the State;

10 (iv) the State Airport Authority; or

11 (v) a fire control district;

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

15 (i) a municipal corporation;

16 (ii) a county;

17 (iii) the State;

18 (iv) the State Airport Authority; or

19 (v) a fire control district;

20 (3) a police officer employed by:

- 1 (i) a municipal corporation;
- 2 (ii) a county;
- 3 (iii) the State;
- 4 (iv) the State Airport Authority;
- 5 (v) the Maryland–National Capital Park and Planning Commission;
- 6 or
- 7 (vi) the Washington Metropolitan Area Transit Authority;
- 8 (4) a Prince George’s County deputy sheriff or correctional officer;
- 9 (5) a Montgomery County deputy sheriff or correctional officer;
- 10 (6) an Allegany County deputy sheriff;
- 11 (7) a Howard County deputy sheriff[, but only when the deputy sheriff is
- 12 performing law enforcement duties expressly requested, defined, and authorized in
- 13 accordance with a written memorandum of understanding executed between the Howard
- 14 County Sheriff and other law enforcement agencies];
- 15 (8) an Anne Arundel County deputy sheriff or detention officer; or
- 16 (9) a Baltimore County deputy sheriff, but only when the deputy sheriff
- 17 sustains an accidental personal injury that arises out of and in the course and scope of
- 18 performing duties directly related to:
  - 19 (i) courthouse security;
  - 20 (ii) prisoner transportation;
  - 21 (iii) service of warrants;
  - 22 (iv) personnel management; or

1 (v) other administrative duties.

2 (b) Except as provided in subsections (g) and (h) of this section, if a covered  
3 employee is awarded compensation for less than 75 weeks in a claim arising from events  
4 occurring on or after January 1, 1988, the employer or its insurer shall pay the covered  
5 employee compensation that equals one-third of the average weekly wage of the covered  
6 employee but does not exceed \$80.

7 (c) Except as provided in subsections (g) and (h) of this section, if a covered  
8 employee is awarded compensation for less than 75 weeks in a claim arising from events  
9 occurring on or after January 1, 1989, the employer or its insurer shall pay the covered  
10 employee compensation that equals one-third of the average weekly wage of the covered  
11 employee but does not exceed \$82.50.

12 (d) Except as provided in subsections (g) and (h) of this section, if a covered  
13 employee is awarded compensation for less than 75 weeks in a claim arising from events  
14 occurring on or after January 1, 1993, the employer or its insurer shall pay the covered  
15 employee compensation that equals one-third of the average weekly wage of the covered  
16 employee but does not exceed \$94.20.

17 (e) Except as provided in subsections (g) and (h) of this section, if a covered  
18 employee is awarded compensation for less than 75 weeks in a claim arising from events  
19 occurring on or after January 1, 2000, the employer or its insurer shall pay the covered  
20 employee compensation that equals one-third of the average weekly wage of the covered  
21 employee but does not exceed \$114.

22 (f) Except as provided in subsections (g) and (h) of this section, if a covered  
23 employee is awarded compensation for less than 75 weeks, the employer or its insurer shall  
24 pay to the covered employee compensation that equals one-third of the average weekly  
25 wage of the covered employee but does not exceed:

26 (1) for claims arising from events occurring on or after January 1, 2009,  
27 but before January 1, 2010, 14.3% of the State average weekly wage;

28 (2) for claims arising from events occurring on or after January 1, 2010,  
29 but before January 1, 2011, 15.4% of the State average weekly wage; and

1                   (3)     for claims arising from events occurring on or after January 1, 2011,  
2     16.7% of the State average weekly wage.

3                   (g)     If a covered employee is awarded compensation for less than 75 weeks for a  
4     disability listed in § 9–627(b) of this subtitle, the employer or its insurer shall pay the  
5     covered employee weekly compensation at the rate set for an award of compensation for a  
6     period greater than or equal to 75 weeks but less than 250 weeks under § 9–629 of this  
7     subtitle.

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

12    9–629.

13                  If a covered employee is awarded compensation for a period equal to or greater than  
14    75 weeks but less than 250 weeks, the employer or its insurer shall pay the covered  
15    employee weekly compensation that equals two–thirds of the average weekly wage of the  
16    covered employee but does not exceed one–third of the State average weekly wage.

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

21                  SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
22    October 1, 2016.