

Bill No.: \_\_\_\_\_

Requested: \_\_\_\_\_

Committee: \_\_\_\_\_

Drafted by: Maloney

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Stored – 11/28/06

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By: **Montgomery County Delegation**

A BILL ENTITLED

1 AN ACT concerning

2 **Workers' Compensation – Montgomery County Correctional Officers and**  
3 **Deputy Sheriff Sergeants**

4 **MC 705-07**

5 FOR the purpose of providing for enhanced workers' compensation benefits for certain  
6 Montgomery County correctional officers and deputy sheriff sergeants for a  
7 compensable permanent partial disability of less than a certain number of  
8 weeks; and generally relating to workers' compensation benefits for  
9 Montgomery County correctional officers and deputy sheriff sergeants.

10 BY repealing and reenacting, with amendments,  
11 Article – Labor and Employment  
12 Section 9-628  
13 Annotated Code of Maryland  
14 (1999 Replacement Volume and 2006 Supplement)

15 BY repealing and reenacting, without amendments,  
16 Article – Labor and Employment  
17 Section 9-629  
18 Annotated Code of Maryland  
19 (1999 Replacement Volume and 2006 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
21 MARYLAND, 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:

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

26 (i) a municipal corporation;

27 (ii) a county;

28 (iii) the State;

29 (iv) the State Airport Authority; or

30 (v) a fire control district;

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

34 (i) a municipal corporation;

35 (ii) a county;

36 (iii) the State;

37 (iv) the State Airport Authority; or

38 (v) a fire control district;

39 (3) a police officer employed by:

40 (i) a municipal corporation;

- 41 (ii) a county;
  - 42 (iii) the State;
  - 43 (iv) the State Airport Authority; or
  - 44 (v) the Maryland–National Capital Park and Planning  
45 Commission;
  - 46 (4) a Prince George’s County deputy sheriff;
  - 47 (5) a Montgomery County deputy sheriff, **DEPUTY SHERIFF**  
48 **SERGEANT, OR CORRECTIONAL OFFICER;** or
  - 49 (6) a Howard County deputy sheriff, but only when the deputy sheriff  
50 is performing law enforcement duties expressly requested, defined, and authorized in  
51 accordance with a written memorandum of understanding executed between the  
52 Howard County Sheriff and other law enforcement agencies.
- 53 (b) Except as provided in subsections (f) and (g) of this section, if a covered  
54 employee is awarded compensation for less than 75 weeks in a claim arising from  
55 events occurring on or after January 1, 1988, the employer or its insurer shall pay the  
56 covered employee compensation that equals one–third of the average weekly wage of  
57 the covered employee but does not exceed \$80.
- 58 (c) Except as provided in subsections (f) and (g) of this section, if a covered  
59 employee is awarded compensation for less than 75 weeks in a claim arising from  
60 events occurring on or after January 1, 1989, the employer or its insurer shall pay the  
61 covered employee compensation that equals one–third of the average weekly wage of  
62 the covered employee but does not exceed \$82.50.
- 63 (d) Except as provided in subsections (f) and (g) of this section, if a covered  
64 employee is awarded compensation for less than 75 weeks in a claim arising from  
65 events occurring on or after January 1, 1993, the employer or its insurer shall pay the  
66 covered employee compensation that equals one–third of the average weekly wage of  
67 the covered employee but does not exceed \$94.20.

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

73           (f)     If a covered employee is awarded compensation for less than 75 weeks for  
74 a disability listed in § 9-627(b) of this subtitle, the employer or its insurer shall pay  
75 the covered employee weekly compensation at the rate set for an award of  
76 compensation for a period greater than or equal to 75 weeks but less than 250 weeks  
77 under § 9-629 of this subtitle.

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

82     9-629.

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

88           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
89 October 1, 2007.