

intent in the original enactment of sub-section (7) of Section 6 of Article 73B of the Code by Chapter 602 of the Acts of 1955; the General Assembly further declares that the present Act was enacted by way of clarification only and that it is the legislative intent that this section as here amended be given retroactive effect to the time of the original effective date of Chapter 602 of the Acts of 1955.

SEC. 4. *And be it further enacted*, That the Act is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and safety, and being passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, the same shall take effect from the date of its passage.

Approved March 26, 1956.

CHAPTER 94

(Senate Bill 85)

AN ACT to repeal and re-enact, with amendments, Section 38 of Article 101 of the Annotated Code of Maryland (1951 Edition), title "Workmen's Compensation", sub-title "Claims and Compensation; Benefits", increasing UNDER CERTAIN CONDITIONS, from one year to three years from the beginning of disability the period within which an employee must file a claim for compensation.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That Section 38 of Article 101 of the Annotated Code of Maryland (1951 Edition), title "Workmen's Compensation", sub-title "Claims and Compensation; Benefits", be and it is hereby repealed and re-enacted, with amendments, to read as follows:

38. When an employee is entitled to compensation under this Article, he shall file with the Commission his application and the report of the physician, provided he was attended by a physician of his own selection, within sixty days after the beginning of his disability, for which compensation is claimed, and failure to do so, unless excused by the Commission, either on the ground that the insurance carrier or the employer has not been prejudiced thereby, or for some other sufficient reason, shall be a bar to any claim under this Article; provided, however, that failure of an employee to file a claim for compensation within ~~one year~~ *three years* after the beginning of his disability shall constitute a complete bar to any claim under this Article, unless it shall be established that failure to file such claim was induced or occasioned by fraud, or by facts and circumstances amounting to an estoppel, in which case the claim shall be filed within ~~one year~~ *three years* from the time of the discovery of the fraud, or within ~~one year~~ *three years* from

EXPLANATION: *Italics indicate new matter added to existing law.*

[Brackets] indicate matter stricken from existing law.

CAPITALS indicate amendments to bill.

~~Strike out~~ indicates matter stricken out of bill.