

fy and correct errors in the laws relating to Subsequent Injury Fund and default in payment of premiums to the State Accident Fund.

SECTION 1. *Be it enacted by the General Assembly of Maryland, That Sections 66(1) and 77(b) of Article 101 of the Annotated Code of Maryland (1963 Supplement), title "Workmen's Compensation", sub-titles respectively, "Miscellaneous" and "State Accident Fund", be and they are hereby repealed and re-enacted, with amendments, to read as follows:*

66(1) Whenever an employee who has a permanent impairment due to previous accident or disease or any congenital condition, which is or is likely to be a hinderance or obstacle to his employment, [incur's] *incurs* subsequent disability by reason of a personal injury, for which compensation is required by this article resulting in permanent partial or permanent total disability that is substantially greater by reason of the combined effects of the impairment and subsequent injury than that which would have resulted from the subsequent injury alone, the employer or his insurance carrier shall be liable only for the compensation payable under this article for such injury. However, in addition to such compensation to which the employer or his insurance carrier is liable, and after the completion of payments therefor provided by this article, the employee shall be entitled to receive and shall be paid additional compensation from a special fund to be known as the "Subsequent Injury Fund", created for such purpose, in the manner described hereafter in this section, it being the intent of this section to make the total payments to which such employee shall become entitled equal to the compensation that would be due for the combined effects of the impairment and subsequent injury resulting in permanent total disability or a substantially greater permanent partial disability.

Benefits from the Subsequent Injury Fund hereunder shall not be payable unless the combined effects resulting from a previous impairment and a subsequent accidental injury result in a permanent disability exceeding 50 per centum (50%) of the body as a whole.

If the subsequent injury of such an employee shall result in the death of the employee and it shall appear that death was due in part to the previous impairment and in part to the subsequent accidental injury, the Commission shall determine the proportion of such death which is reasonably attributable to the subsequent accidental injury and the proportion thereof which is reasonably attributable to the previous impairment, and the employer or his insurance carrier, or the State Accident Fund shall be liable for the compensation payable for that proportion of the employee's death which is reasonably attributable to the subsequent accidental injury, and the Subsequent Injury Fund shall be liable for the balance of benefits payable as in death cases resulting solely from an accidental injury.

77(b) If an employer defaults in any payment required to be made by him [by] to the State Accident Fund the amount due by him may be collected by civil action in the name of the State of Maryland and the commissioners, or superintendent or assistant superintendent of the State Accident Fund whenever they or he may deem it necessary, shall refer to the Attorney General of the State the names, residences or places of business of any employer known to the com-