

Volume), title "Workmen's Compensation," subtitle "Claims and Compensation; Benefits," and to repeal Section 67(3) of said Article, subtitle "Miscellaneous," and to enact a new Section 67(3) in lieu thereof, to stand in the place of the section so repealed, to provide a method by which sole proprietors or members of a partnership may elect to become "employees" under this Article, and to provide that such "employees" are not entitled to a waiver of limitations for failure to file a report of accident as required under this Article.

**SECTION 1.** *Be it enacted by the General Assembly of Maryland,* That Section 38(c) of Article 101 of the Annotated Code of Maryland (1964 Replacement Volume), title "Workmen's Compensation," subtitle "Claims and Compensation; Benefits," be and it is hereby repealed and re-enacted with amendments; and that Section 67(3) of said Article, subtitle "Miscellaneous," be and it is hereby repealed, and that new Section 67(3) be and it is hereby enacted in lieu thereof, to stand in the place of the section so repealed, and all to read as follows:

38.

(c) Where the employer has been given notice, or the employer, or his designated representative in the place where the injury occurred, has knowledge of any injury or death of an employee, and the employer fails, neglects or refuses to file a report thereof, as required by the provisions of subsection (b) of this section, the limitations prescribed by this article shall not begin to run against the claimant or any person entitled to compensation until such report shall have been furnished as required by subsection (b) of this section. *This section shall not apply to an "employee" as defined by Section 67(3a).*

67(3).

*If an employer is a partnership, or sole proprietorship, such employer may elect to include as an "employee" within the provisions of the act, any member of such partnership, or the owner of the sole proprietorship, devoting full time to the partnership or proprietorship business. In the event of such election, the employer must serve upon the employer's insurance carrier and upon the commission written notice naming the persons to be covered and no such proprietor or partner shall be deemed an employee within this Article until such notice has been served as aforesaid.*

**SEC. 2.** *And be it further enacted,* That this Act shall take effect July 1, 1968.

Approved May 7, 1968.

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CHAPTER 743

(House Bill 978)

AN ACT to repeal Section 36(2) of Article 101 of the Annotated Code of Maryland (1964 Replacement Volume and 1967 Supple-