

Respectfully submitted,  
Harry Hughes  
Governor

Approved April 28, 1981.

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CHAPTER 95

(Senate Bill 41)

AN ACT concerning

Accident Leave - Right of Subrogation

FOR the purpose of providing that the State has a right of subrogation in certain cases where accident leave is granted to State employees; requiring that the State give certain notice prior to exercising the right; and providing that the filing of an action brought pursuant to this Act shall not bar any related cause of action.

BY adding to

Article 64A - Merit System  
Section 37(g)(4)  
Annotated Code of Maryland  
(1979 Replacement Volume and 1980 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article 64A - Merit System

37.

(g) (4) -- WHERE INJURY FOR WHICH COMPENSATION IS PAID UNDER THIS SECTION SUBSECTION WAS CAUSED UNDER CIRCUMSTANCES CREATING A LEGAL LIABILITY IN SOME PERSON OTHER THAN THE EMPLOYER TO PAY DAMAGES IN RESPECT THEREOF, THE STATE AS EMPLOYER AFTER GIVING WRITTEN NOTICE TO THE INJURED EMPLOYEE, SHALL BE SUBROGATED TO THE RIGHTS OF THE INJURED EMPLOYEE, TO THE EXTENT OF THE PAYMENT MADE, AND IF THE INJURED EMPLOYEE, WITHIN 90 DAYS OF RECEIPT OF WRITTEN NOTICE FROM THE STATE, FAILS TO ENFORCE THE LIABILITY OF SUCH OTHER PERSON, THE STATE MAY ENFORCE, IN ITS OWN NAME AND FOR ITS OWN BENEFIT, THE LIABILITY OF SUCH OTHER PERSON AND IS THUS AUTHORIZED TO BRING AN ACTION OR JOIN IN AN ACTION AGAINST SUCH PERSON FOR REIMBURSEMENT OF MONEYS PAID AND WHICH IT IS OBLIGATED TO PAY UNDER THE TERMS OF THIS