

(1) SOLELY FOR THE PURPOSES OF THIS ARTICLE AND WITHOUT AFFECTING ANY OTHER PROVISION OF LAW OR PRACTICE, A JOCKEY PERFORMING SERVICES IN CONNECTION WITH THE TRAINING OR RACING OF A THOROUGHBRED RACE HORSE AT A THOROUGHBRED RACING ASSOCIATION OR TRAINING FACILITY UNDER THE JURISDICTION OF THE MARYLAND RACING COMMISSION IS AN EMPLOYEE OF:

(I) THE MARYLAND JOCKEY INJURY COMPENSATION FUND, INC., ESTABLISHED BY ~~§--32--OF-ARTICLE-78B~~ ARTICLE 78B, SECTION 32 OF THE CODE; AND

(II) ANY LICENSED OWNER OR TRAINER FOR WHOM THE JOCKEY WAS PERFORMING SERVICES ALL LICENSED OWNERS AND TRAINERS WHO PAY THE ASSESSMENT LEVIED UNDER ARTICLE 78B, SECTION 32 OF THE CODE AT THE TIME OF ANY OCCURRENCE FOR WHICH BENEFITS ARE PAYABLE TO JOCKEYS PURSUANT TO THIS ARTICLE.

(2) THE JOCKEY'S AVERAGE WEEKLY WAGE SHALL BE COMPUTED IN ACCORDANCE WITH THE OTHER PROVISIONS OF THIS ARTICLE AND BE BASED UPON ALL OF THE EARNINGS OF THE JOCKEY, AS A JOCKEY, INCLUDING THOSE DERIVED FROM OUTSIDE THE STATE.

(3) THE REQUIREMENTS OF THIS ARTICLE REGARDING THE PROVISION OF WORKMEN'S COMPENSATION INSURANCE COVERAGE AS TO ANY LICENSED OWNER OR TRAINER WHO IS AN EMPLOYER LICENSED OWNERS AND TRAINERS WHO ARE EMPLOYERS UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION ARE SATISFIED IN FULL BY COMPLIANCE WITH THE REQUIREMENTS IMPOSED UPON THAT OWNER OR TRAINER BY ~~§--32--OF-ARTICLE--78B-~~ OWNERS AND TRAINERS BY ARTICLE 78B, SECTION 32 OF THE CODE.

(4) THE LIABILITY OF THE FUND UNDER THIS ARTICLE IS LIMITED TO THE PROVISION OF WORKMEN'S COMPENSATION INSURANCE COVERAGE AND ANY SANCTIONS RESULTING FROM THE FAILURE TO SO PROVIDE.

(5) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, NOTHING IN THIS SECTION SHALL BE CONSTRUED TO BAR AN ACTION BY A JOCKEY AGAINST A THIRD PARTY.

~~SECTION--2--AND-BE-IT-FURTHER-ENACTED,-That-this-Act-shall-take-effect-July-1,-1985-~~

SECTION 3. AND BE IT FURTHER ENACTED, That Section--1--of this Act shall take effect June-17-1985,-and-that-Section-2-of this-Act-shall-take-effect-August-17-1985 January 1, 1986.

Approved May 28, 1985.