

CHAPTER 169

(Senate Bill 949)

AN ACT concerning

Workmen's Compensation Commission - Penalties Against Insurers

FOR the purpose of ~~permitting--the---Workmen's---Compensation Commission--to--assess--insurer's--additional--specified--amounts under--certain--circumstances;~~ altering the procedures to be followed by the Workmen's Compensation Commission when an insurer fails to comply a specified number of times with certain insurance certification requirements; and generally relating to penalties against insurers.

BY repealing and reenacting, with amendments,

Article 101 - Workmen's Compensation
Section 91(d)
Annotated Code of Maryland
(1985 Replacement Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 101 - Workmen's Compensation

91.

(d) (1) For the purpose of establishing and maintaining this Fund, the Commission shall impose an assessment of \$150 against an uninsured employer as defined in § 102 of this article when the Commission renders a decision on a claim for compensation. The Commission shall direct payment of the assessment into the Fund in connection with each such claim when an injury occurred on or after the first day of January, 1968, or in death cases, where death is the result of an injury occurring on or after that date. The Commission shall also impose an additional assessment of 15 percent of the awards made in each such claim, such additional assessment not to exceed \$1,500 in any one claim, and shall direct that such additional assessment also be paid into the Fund.

(2) The Commission may assess an insurer \$150, payable to the Fund, if the insurer failed to comply with the Commission's requirements concerning certification of insurance with the Commission and it finds that the Fund OR THE COMMISSION was required to investigate or to attend a hearing to ascertain the existence of insurance. The Commission may assess the insurer an additional \$300 for each subsequent failure to comply with the Commission's insurance certification requirements. Following an insurer's fifth failure IN A FISCAL YEAR to comply, the Commission shall MAY {notify the Insurance Commissioner and