

Section 9-503(b) and (d)

Annotated Code of Maryland

(1991 Volume and 1995 Supplement)

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

Article - Labor and Employment

9-503.

(b) (1) A paid police officer employed by an airport authority, a county, the Maryland-National Capital Park and Planning Commission, a municipality, or the State, [or] a DEPUTY SHERIFF OF Montgomery County [deputy sheriff], OR, SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A PRINCE GEORGE'S COUNTY DEPUTY SHERIFF is presumed to be suffering from an occupational disease that was suffered in the line of duty and is compensable under this title if:

[(1)](I) the police officer or deputy sheriff is suffering from heart disease or hypertension; and

[(2)](II) the heart disease or hypertension results in partial or total disability or death.

(2) (I) A PRINCE GEORGE'S COUNTY DEPUTY SHERIFF IS ENTITLED TO THE PRESUMPTION UNDER THIS SUBSECTION ONLY TO THE EXTENT THAT THE INDIVIDUAL SUFFERS FROM HEART DISEASE OR HYPERTENSION THAT IS MORE SEVERE THAN THE INDIVIDUAL'S HEART DISEASE OR HYPERTENSION CONDITION EXISTING PRIOR TO THE INDIVIDUAL'S EMPLOYMENT AS A PRINCE GEORGE'S COUNTY DEPUTY SHERIFF.

(II) TO BE ELIGIBLE FOR THE PRESUMPTION UNDER THIS SUBSECTION, A PRINCE GEORGE'S COUNTY DEPUTY SHERIFF, AS A CONDITION OF EMPLOYMENT, SHALL SUBMIT TO A MEDICAL EXAMINATION TO DETERMINE ANY HEART DISEASE OR HYPERTENSION CONDITION EXISTING PRIOR TO THE INDIVIDUAL'S EMPLOYMENT AS A PRINCE GEORGE'S COUNTY DEPUTY SHERIFF.

(d) (1) Except as provided in paragraph (2) of this [subtitle] SUBSECTION, any paid fire fighter, paid fire fighting instructor, paid police officer, or any DEPUTY SHERIFF OF Montgomery County OR PRINCE GEORGE'S COUNTY [deputy sheriff] who is eligible for benefits under subsection (a), (b), or (c) of this section shall receive the benefits in addition to any benefits that the individual is entitled to receive under the retirement system in which the individual was a participant at the time of the claim.

(2) The benefits received under this title shall be adjusted so that the weekly total of those benefits and retirement benefits does not exceed the weekly salary that was paid to the fire fighter, fire fighting instructor, police officer, or deputy sheriff.

SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding the provisions of § 9-503(b)(2) of the Labor and Employment Article, a Prince George's County deputy sheriff who is employed on or before September 30, 1996: