

CHAPTER 276**(House Bill 122)**

AN ACT concerning

Courts - Subsequent Injury Fund - Effect of Impleading in Workers' Compensation Appeal

FOR the purpose of limiting a requirement of mandatory suspension of further proceedings in a workers' compensation appeal in a circuit court or the Court of Special Appeals and remand of a case to the Workers' Compensation Commission if an impleader of the Subsequent Injury Fund is filed to circumstances in which the impleader is filed within a certain time; authorizing a circuit court or the Court of Special Appeals, for good cause shown, to suspend further proceedings in a workers' compensation appeal and remand a case to the Commission if an impleader of the Fund is filed ~~under certain circumstances less than a certain number of days before a certain trial or a certain hearing; providing certain exceptions, to a requirement of mandatory suspension of further proceedings in a workers' compensation appeal in the Court of Special Appeals and remand of a case to the Commission if an impleader of the Fund is filed, for an impleader filed in bad faith or without substantial justification;~~ providing for the application of this Act; and generally relating to altering certain requirements concerning impleading the Fund on a workers' compensation appeal in a circuit court or the Court of Special Appeals.

BY repealing and reenacting, with amendments,

Article - Labor and Employment

Section 9-807(b)

Annotated Code of Maryland

(1999 Replacement Volume and 2002 Supplement)

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

Article - Labor and Employment

9-807.

(b) (1) The Subsequent Injury Fund may be impleaded at any stage of the proceedings:

- (i) before the Commission; or
- (ii) on appeal.

(2) If the Subsequent Injury Fund is impleaded on appeal before a circuit court ~~for the Court of Special Appeals~~, the court [shall]: