

The provisions of former Art. 101, § 21(b)(4) that related to an individual in the service of a political subdivision are deleted as unnecessary in light of the broader reference to an individual in the service of an employer.

Defined term: "Covered employee" § 9-101

9-203. SITE OF EMPLOYMENT.

(A) IN GENERAL.

EXCEPT AS OTHERWISE EXPRESSLY PROVIDED, AN INDIVIDUAL IS A COVERED EMPLOYEE WHILE WORKING FOR THE EMPLOYER OF THE INDIVIDUAL:

(1) IN THIS STATE;

(2) OUTSIDE OF THIS STATE ON A CASUAL, INCIDENTAL, OR OCCASIONAL BASIS IF THE EMPLOYER REGULARLY EMPLOYS THE INDIVIDUAL WITHIN THIS STATE; OR

(3) WHOLLY OUTSIDE THE UNITED STATES UNDER A CONTRACT OF EMPLOYMENT MADE IN THIS STATE FOR THE WORK TO BE DONE WHOLLY OUTSIDE OF THE UNITED STATES.

(B) INCIDENTAL SERVICE IN STATE.

(1) AN INDIVIDUAL IS NOT A COVERED EMPLOYEE WHILE WORKING IN THIS STATE FOR AN EMPLOYER ONLY INTERMITTENTLY OR TEMPORARILY IF:

(I) THE INDIVIDUAL AND EMPLOYER MAKE A CONTRACT OF HIRE IN ANOTHER STATE;

(II) NEITHER THE INDIVIDUAL NOR THE EMPLOYER IS A RESIDENT OF THIS STATE;

(III) THE EMPLOYER HAS PROVIDED WORKERS' COMPENSATION INSURANCE COVERAGE UNDER A WORKERS' COMPENSATION OR SIMILAR LAW OF ANOTHER STATE TO COVER THE INDIVIDUAL WHILE WORKING IN THIS STATE;

(IV) THE OTHER STATE RECOGNIZES THE EXTRATERRITORIAL PROVISIONS OF THIS TITLE; AND

(V) THE OTHER STATE SIMILARLY EXEMPTS COVERED EMPLOYEES AND THEIR EMPLOYERS FROM ITS LAW.

(2) IF AN INDIVIDUAL IS EXEMPTED FROM COVERAGE UNDER THIS SUBSECTION AND INJURED IN THIS STATE WHILE WORKING FOR THE EMPLOYER OF THE INDIVIDUAL, THE SOLE REMEDY OF THE INDIVIDUAL IS THE WORKERS' COMPENSATION OR SIMILAR LAW OF THE STATE ON WHICH THE EXEMPTION IS BASED.