

disease was not caused by willful misconduct under subsection (d) of this section. The General Assembly may wish to consider expanding the presumption under subsection (e) of this section to include willful misconduct under subsection (d) of this section.

Defined terms: "Accidental injury" § 9-101

"Compensation" § 9-101 "Covered employee" § 9-101

"Occupational disease" § 9-101

#### 9-507. DEGREE OF RISK.

COMPENSATION MAY NOT BE DENIED TO A COVERED EMPLOYEE BECAUSE OF THE DEGREE OF RISK OF THE EMPLOYMENT OF THE COVERED EMPLOYEE.

REVISOR'S NOTE: This section is new language derived without substantive change from the second sentence of former Art. 101, § 67(6).

Defined terms: "Compensation" § 9-101

"Covered employee" § 9-101

#### 9-508. LIABILITY OF PRINCIPAL CONTRACTOR FOR COMPENSATION.

##### (A) IN GENERAL.

A PRINCIPAL CONTRACTOR IS LIABLE TO PAY TO A COVERED EMPLOYEE OR THE DEPENDENTS OF THE COVERED EMPLOYEE ANY COMPENSATION THAT THE PRINCIPAL CONTRACTOR WOULD HAVE BEEN LIABLE TO PAY HAD THE COVERED EMPLOYEE BEEN EMPLOYED DIRECTLY BY THE PRINCIPAL CONTRACTOR IF:

(1) THE PRINCIPAL CONTRACTOR UNDERTAKES TO PERFORM ANY WORK THAT IS PART OF THE BUSINESS, OCCUPATION, OR TRADE OF THE PRINCIPAL CONTRACTOR;

(2) THE PRINCIPAL CONTRACTOR CONTRACTS WITH A SUBCONTRACTOR FOR THE EXECUTION BY OR UNDER THE SUBCONTRACTOR OF ALL OR PART OF THE WORK UNDERTAKEN BY THE PRINCIPAL CONTRACTOR; AND

(3) THE COVERED EMPLOYEE IS EMPLOYED IN THE EXECUTION OF THAT WORK.

##### (B) PRINCIPAL CONTRACTOR CONSIDERED EMPLOYER.

(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, IN A CLAIM FILED OR PROCEEDING BROUGHT AGAINST A PRINCIPAL CONTRACTOR BY A COVERED EMPLOYEE EMPLOYED TO EXECUTE WORK AS PROVIDED IN SUBSECTION (A) OF THIS SECTION OR A DEPENDENT OF THE COVERED EMPLOYEE, THE PRINCIPAL CONTRACTOR SHALL BE CONSIDERED THE EMPLOYER OF THE COVERED EMPLOYEE FOR THE PURPOSES OF THIS TITLE.