
By: Senator Hoffman

Introduced and read first time: February 2, 1996

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Pensions - Death Benefits**

3 FOR the purpose of providing for certain changes in the law that relateto death benefits
4 for surviving spouses of certain deceased members of the Employees' Pension
5 System, Teachers' Pension System, or the Local Fire and Police System to apply
6 retroactively.

7 BY repealing and reenacting, without amendments,
8 Article - State Personnel and Pensions
9 Section 29-206
10 Annotated Code of Maryland
11 (1994 Volume and 1995 Supplement)

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

14 **Article - State Personnel and Pensions**

15 29-206.

16 (a) This section applies to the surviving spouse of an individual who died while
17 employed as a member of:

- 18 (1) the Employees' Pension System;
- 19 (2) the Teachers' Pension System; or
- 20 (3) the Local Fire and Police System, if the member had not transferred
21 from the Employees' Retirement System.

22 (b) A surviving spouse may elect to receive one of the following:

- 23 (1) the death benefit under § 29-202 of this subtitle; or
- 24 (2) an allowance equal to the amount payable under Option 2 as described
25 in § 21-403 of this article, if:
- 26 (i) the spouse is the sole primary designated beneficiary;and
- 27 (ii) the member:

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1. was eligible to retire;

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2. had at least 25 years of eligibility service; or

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3. was at least 55 years old with at least 15 years of eligibility

4 service.

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SECTION 2. AND BE IT FURTHER ENACTED, That Chapter 775 of the Acts of
6 the General Assembly of 1995 be construed retroactively and shall be applied to and
7 interpreted to affect eligibility for benefits for a surviving spouse of a deceased member of
8 the Employees' Pension System, the Teachers' Pension System, or the Local Fire and
9 Police System who had not transferred from the Employees' Retirement System, if the
10 deceased member died on or after January 1, 1994.

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SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 July 1, 1996.