
By: Senator Amoss (Chairman, Joint Committee on Pensions)

Introduced and read first time: January 24, 1997

Assigned to: Budget and Taxation

Committee Report: Favorable

Senate action: Adopted

Read second time: February 25, 1997

CHAPTER ____

1 AN ACT concerning

2 **Pensions - Accidental Disability - Time Limit for Applications**

3 FOR the purpose of repealing a certain exception that allows the Board of Trustees of
4 the State Retirement and Pension System to accept an application for accidental
5 disability after a certain period.

6 BY repealing and reenacting, with amendments,
7 Article - State Personnel and Pensions
8 Section 29-104
9 Annotated Code of Maryland
10 (1994 Volume and 1996 Supplement)

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

13 **Article - State Personnel and Pensions**

14 29-104.

15 (a) Except as provided in subsection (c) of this section and subject to subsection
16 (d) of this section, an application for disability retirement must be submitted before the
17 date membership ends.

18 (b) (1) This subsection applies only to an application for an ordinary or
19 accidental disability retirement allowance under the Employees' Pension System, Local
20 Fire and Police System, Law Enforcement Officers' Pension System, or the Teachers'
21 Pension System.

22 (2) For the purpose of submitting an application for disability, membership
23 continues for 2 years after paid employment ends.

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1 (c) (1) This subsection applies only to an application for disability retirement
2 from a former member of:

3 (i) the Correctional Officers' Retirement System;

4 (ii) the Employees' Pension System;

5 (iii) the Employees' Retirement System;

6 (iv) the Local Fire and Police System;

7 (v) the Law Enforcement Officers' Pension System; and

8 (vi) the Teachers' Pension System.

9 (2) The Board of Trustees may accept an application for ordinary or
10 accidental disability retirement from a former member within 36 months after the month
11 membership ended if the former member proves to the satisfaction of the medical board
12 that failure to submit an application while a member was attributable solely to physical or
13 mental incapacity during the filing period.

14 (3) If the Board of Trustees accepts a disability retirement application
15 under this subsection and grants a disability retirement allowance, the retirement
16 allowance begins as of the first day of the month after the Board of Trustees receives the
17 application.

18 (d) (1) This subsection does not apply to an application for special disability
19 under the State Police Retirement System.

20 (2) The Board of Trustees may not accept an application for accidental
21 disability filed by a member or former member more than 5 years after the date of the
22 claimed accident [unless the member or former member proves to the satisfaction of the
23 medical board that failure to submit an application within the required 5 years was
24 attributable solely to physical or mental conditions that resulted directly from the event or
25 act of duty that caused the disability].

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 1997.