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By: **Delegate Proctor (Chairman, Joint Committee on Pensions)** Introduced and read first time: January 29, 1998

Assigned to: Appropriations

Committee Report: Favorable House action: Adopted Read second time: March 10, 1998

CHAPTER_____

1 AN ACT concerning

2Disability Retirement Benefits - Employees of Participating Governmental3Units - Offset for Workers' Compensation Benefits - Exclusion

4 FOR the purpose of providing that a retiree of the Employees' Pension System or the

5 Employees' Retirement System who receives a disability retirement benefit as a

6 former employee of a governmental unit that participates in the systems or a

7 designated beneficiary of the retiree is not subject to an offset of those benefits

8 under a certain provision of the Code due to receipt of workers' compensation

9 benefits, but is subject to an offset of the workers' compensation benefits; and

10 generally relating to the offset of benefits of a retiree of the Employees' Pension

11 System or the Employees' Retirement System who receives a disability

12 retirement benefit as a former employee of certain governmental units that

13 participate in the employees' systems.

14 BY repealing and reenacting, with amendments,

- 15 Article State Personnel and Pensions
- 16 Section 29-118
- 17 Annotated Code of Maryland
- 18 (1997 Replacement Volume)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

20 MARYLAND, That the Laws of Maryland read as follows:

2	HOUSE BILL 337
1	Article - State Personnel and Pensions
2 29-118.	
3 (a) (1) 4 to a retiree and any o	Except as otherwise provided in this subsection, this section applies designated beneficiary.
7 retirement benefit as8 Board of School Con	(i) This section does not apply to a retiree of the Employees' he Employees' Retirement System who receives a disability a former employee of a county board of education [or], the mmissioners of Baltimore City, OR A PARTICIPATING UNIT or a designated beneficiary of that retiree.
12 board of education13 PARTICIPATING	 (ii) A retiree of the Employees' Pension System or the Employees' who receives a disability benefit as a former employee of a county [or], the Board of School Commissioners of Baltimore City, OR A GOVERNMENTAL UNIT or a designated beneficiary of that retiree is f the Labor and Employment Article.
15 (b) (1) The Board of Trustees shall reduce a disability retirement benefit by 16 any related workers' compensation benefits paid or payable after the effective date of 17 retirement if the workers' compensation benefits:	
18	(i) are paid or payable while a pension is paid or payable; and
1920 arising out of and in21 employer.	(ii) are for an accidental personal injury or occupational disease a the course of the retiree's employment by a participating
22 (2)	A retirement allowance may not be reduced:
2324 authorized to be decomposite	(i) to be less than the sum of the retiree's annuity and the amount lucted for health insurance premiums; or
2526 legal fees, medical e27 retiree.	(ii) for workers' compensation benefits that are reimbursements for expenses, or other payments made to third parties and not to the
	tirement allowance to be reduced under this section is the e at retirement without any cost-of-living adjustment and is
SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1998.	

HOUSE BILL 337