

SENATE BILL 275

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2001 Regular Session
(11r1159)

ENROLLED BILL
-- Budget and Taxation/Appropriations --

Introduced by **Senators Baker, Lawlah, Middleton, and ~~Ruben Ruben,~~**
Hoffman, Currie, Hogan, Kasemeyer, Madden, McFadden, Munson,
Neall, Stoltzfus, and Van Hollen

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **State Police Retirement System - Special Death Benefits**

3 FOR the purpose of altering the formula for computing the retirement allowance to be
4 paid to certain surviving beneficiaries of members of the State Police
5 Retirement System; providing that for certain deceased members of the State
6 Police Retirement System, any allowance paid to the surviving spouse is to be
7 recalculated in a certain manner; providing for the application of this Act; and
8 generally relating to special death benefits for the State Police Retirement
9 System.

10 BY repealing and reenacting, with amendments,
11 Article - State Personnel and Pensions
12 Section 29-204
13 Annotated Code of Maryland
14 (1997 Replacement Volume and 2000 Supplement)

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

3 **Article - State Personnel and Pensions**

4 29-204.

5 (a) This section applies only to an individual who dies while employed as a
6 member of the State Police Retirement System:

7 (1) without willful negligence by the member; and

8 (2) (i) with more than 2 years of eligibility service; or

9 (ii) with death arising out of or in the course of the actual
10 performance of duty.

11 (b) When the Board of Trustees receives proof of death of a member and finds
12 that the death has occurred in the manner described in subsection (a) of this section,
13 the Board of Trustees shall pay:

14 (1) if the member is survived by a spouse, a child under the age of 18
15 years, or a dependent parent:

16 (i) the member's accumulated contributions to the designated
17 beneficiary, or otherwise to the member's estate; and

18 (ii) an allowance of [50%] TWO-THIRDS of the member's average
19 final compensation:

20 1. to the surviving spouse;

21 2. if there is no surviving spouse or if the surviving spouse
22 dies before the youngest child of the member is 18 years old, to all children under the
23 age of 18 years; or

24 3. if there is no surviving spouse or children younger than 18
25 years of age, to the member's dependent parent to continue as the Board of Trustees
26 may direct for the rest of the parent's life; or

27 (2) if the member is not survived by a spouse, a child under the age of 18
28 years, or a dependent parent, the death benefit under § 29-202 of this subtitle.

29 (c) If the Board of Trustees pays an allowance under this section to more than
30 one child, the Board of Trustees shall divide the allowance among the children under
31 the age of 18 years in a manner that provides for payments to continue until each
32 child dies or becomes 18 years old.

33 SECTION 2. AND BE IT FURTHER ENACTED, That the computation of any
34 allowance under this Act:

1 (1) Shall be construed retroactively and shall be applied to and
2 interpreted to affect an allowance of a surviving spouse of a deceased member of the
3 State Police Retirement System whose death arose out of or in the course of the actual
4 performance of duty on or after July 1, 1972 but before January 1, 2002; and

5 (2) Shall be recalculated and paid at the new rate as of July 1, 2001, but
6 shall be subject to cost-of-living adjustments beginning with the date of the first
7 allowance received.

8 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take
9 effect July 1, 2001.