

SENATE BILL 275

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2001 Regular Session
1lr1159

By: **Senators Baker, Lawlah, Middleton, and Ruben**

Introduced and read first time: January 26, 2001

Assigned to: Budget and Taxation

A BILL ENTITLED

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; and generally relating to special death benefits for the
6 State Police Retirement System.

7 BY repealing and reenacting, with amendments,
8 Article - State Personnel and Pensions
9 Section 29-204
10 Annotated Code of Maryland
11 (1997 Replacement Volume and 2000 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 29-204.

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

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

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

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

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

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

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

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

5 1. to the surviving spouse;

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

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

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

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

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 July 1, 2001.