

SENATE BILL 275

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2001 Regular Session  
1lr1159

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

Introduced and read first time: January 26, 2001

Assigned to: Budget and Taxation

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 20, 2001

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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)

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

17 **Article - State Personnel and Pensions**

18 29-204.

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

- 1 (1) without willful negligence by the member; and
- 2 (2) (i) with more than 2 years of eligibility service; or
- 3 (ii) with death arising out of or in the course of the actual
- 4 performance of duty.

5 (b) When the Board of Trustees receives proof of death of a member and finds

6 that the death has occurred in the manner described in subsection (a) of this section,

7 the Board of Trustees shall pay:

- 8 (1) if the member is survived by a spouse, a child under the age of 18
- 9 years, or a dependent parent:
- 10 (i) the member's accumulated contributions to the designated
- 11 beneficiary, or otherwise to the member's estate; and
- 12 (ii) an allowance of [50%] TWO-THIRDS of the member's average
- 13 final compensation:
- 14 1. to the surviving spouse;
- 15 2. if there is no surviving spouse or if the surviving spouse
- 16 dies before the youngest child of the member is 18 years old, to all children under the
- 17 age of 18 years; or
- 18 3. if there is no surviving spouse or children younger than 18
- 19 years of age, to the member's dependent parent to continue as the Board of Trustees
- 20 may direct for the rest of the parent's life; or
- 21 (2) if the member is not survived by a spouse, a child under the age of 18
- 22 years, or a dependent parent, the death benefit under § 29-202 of this subtitle.

23 (c) If the Board of Trustees pays an allowance under this section to more than

24 one child, the Board of Trustees shall divide the allowance among the children under

25 the age of 18 years in a manner that provides for payments to continue until each

26 child dies or becomes 18 years old.

27 SECTION 2. AND BE IT FURTHER ENACTED, That the computation of any

28 allowance under this Act:

29 (1) Shall be construed retroactively and shall be applied to and

30 interpreted to affect an allowance of a surviving spouse of a deceased member of the

31 State Police Retirement System whose death arose out of or in the course of the actual

32 performance of duty on or after July 1, 1972; and

33 (2) Shall be recalculated and paid at the new rate as of July 1, 2001, but

34 shall be subject to cost-of-living adjustments beginning with the date of the first

35 allowance received.

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