

**SENATE BILL 368**  
**EMERGENCY BILL**

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2001 Regular Session  
1r1047

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By: **Senator Hoffman**

Introduced and read first time: February 1, 2001

Assigned to: Budget and Taxation

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 28, 2001

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **State Retirement and Pension System - Accidental Disability Applications**

3 FOR the purpose of altering a provision of law that prohibits the Board of Trustees for  
4 the State Retirement and Pension System from accepting an application for  
5 accidental disability retirement more than a certain number of years after the  
6 date of a certain type of accident; providing for the application of this Act;  
7 providing for the termination of this Act; making this Act an emergency  
8 measure; and generally relating to applications for accidental disability filed  
9 with the State Retirement and Pension System.

10 BY repealing and reenacting, with amendments,  
11 Article - State Personnel and Pensions  
12 Section 29-104(d)  
13 Annotated Code of Maryland  
14 (1997 Replacement Volume and 2000 Supplement)  
15 (As enacted by Chapter 573 of the Acts of the General Assembly of 2000)

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

18 **Article - State Personnel and Pensions**

19 29-104.

20 (d) (1) This subsection does not apply to an application [for] FOR:

21 (I) special disability under the State Police Retirement System [or  
22 an application for];

1 (II) accidental disability under the Law Enforcement Officers'  
2 Pension System or [to an application for accidental disability under] the Correctional  
3 Officers' Retirement System; OR

4 (III) ACCIDENTAL DISABILITY FOR A CLASSROOM TEACHER OR  
5 TEACHER MENTOR, A SUBSTITUTE CLASSROOM TEACHER, OR SUBSTITUTE TEACHER  
6 MENTOR WHO IS A MEMBER OF THE TEACHERS' RETIREMENT SYSTEM OR THE  
7 TEACHERS' PENSION SYSTEM, AND WHO WAS INJURED THROUGH A PHYSICAL  
8 ALTERCATION THAT WAS NOT INITIATED BY THE MEMBER.

9 (2) The Board of Trustees may not accept an application for accidental  
10 disability filed by a member or former member more than 5 years after the date of the  
11 claimed accident.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be  
13 construed retroactively and shall be applied to and interpreted to affect an ~~application~~  
14 ~~submitted on or after~~ individual who was injured on or before January 1, 1990 1992.

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

17 SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency  
18 measure, is necessary for the immediate preservation of the public health and safety,  
19 has been passed by a ye and nay vote supported by three-fifths of all the members  
20 elected to each of the two Houses of the General Assembly, and shall take effect from  
21 the date it is enacted. It shall remain effective through December 31, 2001 and, at the  
22 end of December 31, 2001, with no further action required by the General Assembly,  
23 this Act shall be abrogated and of no further force and effect.