

**Department of Legislative Services**  
 Maryland General Assembly  
 2002 Session

**FISCAL NOTE**  
**Revised**

Senate Bill 278

(Senator Lawlah)

Budget and Taxation

Appropriations

**State Police Retirement System - Disability Retirements**

This pension bill mandates an ordinary disability retirement benefit for a State Police Retirement System member who: (1) was terminated as unfit for duty on or after August 1, 1990; (2) had an special disability application filed on the member's behalf on or before May 1, 1993; (3) was denied the disability application on or before September 1, 1995 by the pension system; (4) withdrew his or her accumulated member contributions in the State Police Retirement System on or before November 1, 1996; and (5) repays the withdrawn contributions.

The bill takes effect July 1, 2002.

**Fiscal Summary**

**State Effect:** State pension liabilities would increase by \$96,700, resulting in increased pension contributions by the Department of State Police (general funds) of \$5,400 beginning in FY 2004, increasing 5% per year thereafter based on actuarial assumptions.

(in dollars)	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	0	5,400	5,600	5,900	6,200
Net Effect	\$0	(\$5,400)	(\$5,600)	(\$5,900)	(\$6,200)

*Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect*

**Local Effect:** None.

**Small Business Effect:** None.

## Analysis

**Current Law:** A member of the State Police Retirement System (SPRS) is eligible to receive an ordinary disability retirement allowance if the member has at least five years of eligibility service and the pension system's medical board finds that the member is mentally or physically incapacitated for the further performance of the normal duties of the member's position; the incapacity is likely to be permanent; and the member should be retired.

**Background:** The bill would permit a member to receive an ordinary benefit without a finding by the pension system's medical board of a permanent mental or physical incapacity and despite the pension board's denial of the special disability allowance.

**State Expenditures:** The State Retirement Agency advises that it is aware of only one former member who could be affected by this proposal. The former member of which the agency is aware was terminated from employment and applied for special disability. The pension board denied his application based on a determination by its medical board that there was no accidental disability. The former member elected to withdraw from the SPRS, received a refund of his employee contributions with interest, and signed forms stating that he forfeited any future claims for credit based on this service.

Assuming an average final compensation of \$25,000, resulting in an annual disability benefit of \$6,765, the State's actuary estimates that system liabilities would increase by \$96,700, after reflecting repaid contributions. Amortizing these liabilities over 25 years would result in additional pension contributions of \$5,400 in fiscal 2004. Future year payments would increase by 5% per year based on actuarial assumptions.

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## Additional Information

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Milliman USA, Maryland State Retirement Agency, Department of Legislative Services

**Fiscal Note History:** First Reader - February 11, 2002  
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