
By: **Delegate James (Chairman, Joint Committee on Pensions)**

Introduced and read first time: February 4, 2004

Assigned to: Appropriations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 10, 2004

CHAPTER _____

1 AN ACT concerning

2 **Disability Retirement Benefits - Reduction for Workers' Compensation**
3 **Benefits - Occupational Diseases**

4 FOR the purpose of repealing the requirement that the Board of Trustees for the
5 State Retirement and Pension System reduce a disability retirement benefit by
6 any related workers' compensation benefits, if the disability retirement benefit
7 is received for an occupational disease; making a technical correction; and
8 generally relating to the reduction of a disability retirement benefit by a related
9 workers' compensation award.

10 BY repealing and reenacting, with amendments,
11 Article - State Personnel and Pensions
12 Section 29-118(b)
13 Annotated Code of Maryland
14 (1997 Replacement Volume and 2003 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 29-118.

19 (b) (1) The Board of Trustees shall reduce ~~a~~ AN ACCIDENTAL OR SPECIAL
20 disability retirement benefit by any related workers' compensation benefits paid or
21 payable after the effective date of retirement if the workers' compensation benefits:

22 (i) are paid or payable while a pension is paid or payable; and

1 (ii) are for an accidental personal injury [or occupational disease]
2 arising out of and in the course of the retiree's employment by a participating
3 employer.

4 (2) A retirement allowance may not be reduced:

5 (i) to be less than the sum of the retiree's annuity and the amount
6 authorized to be deducted for health insurance premiums; or

7 (ii) for workers' compensation benefits that are reimbursements for
8 legal fees, medical expenses, or other payments made to third parties and not to the
9 retiree.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
11 effect July 1, 2004.