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By: **The Speaker (By Request - Judicial Compensation Commission)**

Introduced and read first time: January 26, 2005

Assigned to: Appropriations

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A BILL ENTITLED

1 AN ACT concerning

2 **State Employee Health and Welfare Benefits Program - Judges' Retirement**  
3 **System - Eligibility - Surviving Spouse or Dependent Child**

4 FOR the purpose of authorizing surviving spouses or dependent children of certain  
5 members or retirees of the Judges' Retirement System to enroll and participate  
6 in certain health insurance benefits under the State Employee and Retiree  
7 Health and Welfare Benefits Program; providing that certain surviving spouses  
8 or dependent children are eligible for certain State subsidies; and generally  
9 relating to the State Employee Health and Welfare Benefits Program, the  
10 Judges' Retirement System, and the enrollment and benefit eligibility of  
11 surviving spouses and dependent children.

12 BY repealing and reenacting, with amendments,  
13 Article - State Personnel and Pensions  
14 Section 2-507 and 2-508(c)  
15 Annotated Code of Maryland  
16 (2004 Replacement Volume)

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

19 **Article - State Personnel and Pensions**

20 2-507.

21 (a) Subject to the regulations adopted under § 2-503 of this subtitle, a State  
22 employee may enroll and participate in any of the health insurance or other benefit  
23 options established under the Program.

24 (b) The surviving spouse of a State employee who died while employed by the  
25 State may enroll and participate in the health insurance benefit options established  
26 under the Program as long as the surviving spouse:

27 (1) is receiving an allowance under Title 29, Subtitle 2 of this article; or

1 (2) is the sole primary designated beneficiary and receiving a periodic  
2 distribution of benefits under an optional retirement program under Title 30 of this  
3 article.

4 (c) The surviving minor child or dependent parent of a State Police officer who  
5 died while employed by the State may enroll and participate in the health insurance  
6 benefit options established under the Program as long as the child or parent is  
7 receiving an allowance under Title 29, Subtitle 2 of this article.

8 (D) THE SURVIVING SPOUSE OR DEPENDENT CHILD OF A MEMBER OF THE  
9 JUDGES' RETIREMENT SYSTEM WHO DIED WHILE EMPLOYED BY THE STATE MAY  
10 ENROLL AND PARTICIPATE IN THE HEALTH INSURANCE BENEFIT OPTIONS  
11 ESTABLISHED UNDER THE PROGRAM AS LONG AS THE SURVIVING SPOUSE OR  
12 DEPENDENT CHILD:

13 (1) IS RECEIVING AN ALLOWANCE UNDER TITLE 27 OF THIS ARTICLE;  
14 AND

15 (2) IS ENTITLED, UNDER § 2-508(C) OF THIS SUBTITLE, TO 1/16 OF THE  
16 STATE SUBSIDY ALLOWED A STATE EMPLOYEE FOR EACH YEAR OF THE RETIREE'S  
17 CREDITABLE SERVICE, UP TO A MAXIMUM OF 16 YEARS.

18 2-508.

19 (c) (1) If a retiree receives a State disability retirement allowance or has 16  
20 or more years of creditable service, the retiree or the retiree's surviving spouse or  
21 dependent child is entitled to the same State subsidy allowed a State employee.

22 (2) [In] EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION,  
23 IN all other cases, if a retiree has at least 5 years of creditable service, the retiree or  
24 the retiree's surviving spouse or dependent child is entitled to 1/16 of the State  
25 subsidy allowed a State employee for each year of the retiree's creditable service up to  
26 16 years.

27 (3) Notwithstanding paragraph (2) of this subsection and subsection  
28 (a)(4)(i) of this section, if a retiree is an additional employee or agent of the State  
29 Racing Commission, for the purposes of determining a retiree's State subsidy,  
30 creditable service shall be determined with respect to service as an additional  
31 employee or agent beginning from the initial date of employment or January 1, 1986,  
32 whichever is later.

33 (4) THE SURVIVING SPOUSE OR DEPENDENT CHILD OF A RETIREE OF  
34 THE JUDGES' RETIREMENT SYSTEM:

35 (I) MAY ENROLL AND PARTICIPATE IN THE HEALTH INSURANCE  
36 BENEFIT OPTIONS ESTABLISHED UNDER THE PROGRAM; AND

37 (II) IS ENTITLED TO 1/16 OF THE STATE SUBSIDY ALLOWED A STATE  
38 EMPLOYEE FOR EACH YEAR OF THE RETIREE'S CREDITABLE SERVICE, UP TO A  
39 MAXIMUM OF 16 YEARS.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2 October 1, 2005.