

# HOUSE BILL 189

P4  
HB 397/06 – APP

71r1027  
CF SB 45

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By: **Delegate Rosenberg**

Introduced and read first time: January 26, 2007

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 and 2006 Supplement)

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.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

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

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

16 (d) The surviving minor child of a correctional officer who at the time of  
17 death was a member of the Correctional Officers' Retirement System and who died  
18 while employed by the State may enroll and participate in the health insurance  
19 benefit options established under the Program as long as the child is receiving an  
20 allowance under Title 29, Subtitle 2 of this article.

21 **(E) THE SURVIVING SPOUSE OR DEPENDENT CHILD OF A MEMBER OF**  
22 **THE JUDGES' RETIREMENT SYSTEM WHO DIED WHILE EMPLOYED BY THE**  
23 **STATE MAY ENROLL AND PARTICIPATE IN THE HEALTH INSURANCE BENEFIT**  
24 **OPTIONS ESTABLISHED UNDER THE PROGRAM AS LONG AS THE SURVIVING**  
25 **SPOUSE OR DEPENDENT CHILD:**

26 **(1) IS RECEIVING AN ALLOWANCE UNDER TITLE 27 OF THIS**  
27 **ARTICLE; AND**

28 **(2) IS ENTITLED, UNDER § 2-508(C) OF THIS SUBTITLE, TO**  
29 **ONE-SIXTEENTH OF THE STATE SUBSIDY ALLOWED A STATE EMPLOYEE FOR**  
30 **EACH YEAR OF THE RETIREE'S CREDITABLE SERVICE, UP TO A MAXIMUM OF 16**  
31 **YEARS.**

32 2-508.

1           (c)   (1)   If a retiree receives a State disability retirement allowance or has  
2 16 or more years of creditable service, the retiree or the retiree's surviving spouse or  
3 dependent child is entitled to the same State subsidy allowed a State employee.

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

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

15           (4)   **THE SURVIVING SPOUSE OR DEPENDENT CHILD OF A RETIREE**  
16 **OF THE JUDGES' RETIREMENT SYSTEM:**

17                   (I)   **MAY ENROLL AND PARTICIPATE IN THE HEALTH**  
18 **INSURANCE BENEFIT OPTIONS ESTABLISHED UNDER THE PROGRAM; AND**

19                   (II) **IS ENTITLED TO ONE-SIXTEENTH OF THE STATE**  
20 **SUBSIDY ALLOWED A STATE EMPLOYEE FOR EACH YEAR OF THE RETIREE'S**  
21 **CREDITABLE SERVICE, UP TO A MAXIMUM OF 16 YEARS.**

22           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
23 October 1, 2007.