

# SENATE BILL 711

P4

(9lr1747)

## ENROLLED BILL

—Budget and Taxation / Appropriations—

Introduced by **Senators Mooney, Brinkley, Dyson, and Robey**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

\_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
President.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Trooper Tobin Triebel ~~Life Insurance~~ Memorial Act**

3 FOR the purpose of requiring the Secretary of Budget and Management to include in  
4 the State Employee and Retiree Health and Welfare Benefits Program an option  
5 to purchase up to a certain amount of additional life insurance coverage for  
6 certain employees; authorizing the Secretary of State Police and the Secretary of  
7 Budget and Management to award certain death benefits and funeral expenses to  
8 certain recipients on behalf of certain individuals; requiring that certain death  
9 benefits and funeral expenses be paid and funded in a certain manner; providing  
10 for the application of certain provisions of this Act; providing for the termination  
11 of certain provisions of this Act; and generally relating to ~~benefit options under~~  
12 ~~the State Employee and Retiree Health and Welfare Benefits Program~~ benefits  
13 for public safety employees.

14 BY repealing and reenacting, with amendments,

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### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

*Italics* indicate opposite chamber / conference committee amendments.



1 Article – State Personnel and Pensions  
2 Section 2–503  
3 Annotated Code of Maryland  
4 (2004 Replacement Volume and 2008 Supplement)

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

7 **Article – State Personnel and Pensions**

8 2–503.

9 (a) The Secretary shall:

10 (1) adopt regulations for the administration of the Program;

11 (2) ensure that the Program complies with all federal and State laws  
12 governing employee benefit plans; and

13 (3) each year, recommend to the Governor the State share of the costs  
14 of the Program.

15 (b) (1) The Secretary may arrange as the Secretary considers appropriate  
16 any benefit option for inclusion in the Program.

17 (2) **THE SECRETARY SHALL INCLUDE IN THE PROGRAM AN**  
18 **OPTION TO PURCHASE UP TO \$200,000 OF ADDITIONAL LIFE INSURANCE**  
19 **COVERAGE FOR EMPLOYEES WHO:**

20 (I) **FLY IN A HELICOPTER IN THE COURSE OF THEIR**  
21 **EMPLOYMENT WITH THE STATE;**

22 (II) **SCUBA DIVE IN THE COURSE OF THEIR EMPLOYMENT**  
23 **WITH THE STATE; OR**

24 (III) **AS A RESULT OF THEIR EMPLOYMENT WITH THE STATE,**  
25 **FACE A SIGNIFICANT LIKELIHOOD OF RECEIVING A LESS FAVORABLE LIFE**  
26 **INSURANCE RATING THAN AN INDIVIDUAL EMPLOYED IN A NONHAZARDOUS**  
27 **POSITION.**

28 (c) The Secretary shall specify by regulation the types or categories of State  
29 employees who:

30 (1) are eligible to enroll and participate in the Program with State  
31 subsidies;

1           (2)     are eligible to enroll and participate in the Program without State  
2 subsidies; and

3           (3)     are not eligible to enroll or participate in the Program.

4           (d)     (1)     The regulations adopted by the Secretary shall include provisions  
5 for the enrollment and participation of employees of all:

6                   (i)     organizations and entities that were participating in the  
7 Program as satellite organizations on January 1, 1993; and

8                   (ii)    employee organizations that qualify for payroll deductions  
9 under the provisions of § 2-403 of this title.

10           (2)     Employees of organizations and entities covered by this section  
11 may participate:

12                   (i)     without State subsidies; and

13                   (ii)    with payment by the organization or entity of administrative  
14 costs resulting from the participation of its employees in the Program.

15           (3)     The regulations adopted by the Secretary under this subsection  
16 shall provide that an employee organization specified in paragraph (1)(ii) of this  
17 subsection:

18                   (i)     may not enroll or participate in the Program unless the  
19 organization has notified the Secretary, in writing, on or before July 1, 1994 of the  
20 organization's intent to enroll and participate in the Program during calendar year  
21 1994; and

22                   (ii)    may not enroll or participate in the Program on or after  
23 January 1, 1995 unless the organization has participated in the Program during  
24 calendar year 1994.

25           SECTION 2. AND BE IT FURTHER ENACTED, That:

26           (a)     This section applies to any individual who, on or after November 1, 2008:

27                   (1)     was an active police employee in good standing of the Department of  
28 State Police; and

29                   (2)     died while participating in off-duty training exercises directly  
30 related to maintaining fitness for duty as a police employee employed by the  
31 Department of State Police.

1           **(b) (1) The Secretary of State Police may award to the surviving spouse,**  
2 **child, dependent parent, or estate of an individual described in subsection (a) of this**  
3 **section:**

4                           **(i) a death benefit equal to \$125,000; and**

5                           **(ii) reasonable funeral expenses, not exceeding \$10,000.**

6           **(2) The Secretary of Budget and Management may award to the**  
7 **surviving spouse, child, dependent parent, or estate of an individual described in**  
8 **subsection (a) of this section a death benefit equal to \$50,000.**

9           **(c) If the Secretary of State Police and Secretary of Budget and Management**  
10 **determine that the benefits under this section are to be paid, the benefits shall be paid:**

11                           **(1) to the decedent's surviving spouse;**

12                           **(2) if no individual is eligible under item (1) of this subsection, to each**  
13 **surviving child of the decedent in equal shares;**

14                           **(3) if no individual is eligible under item (1) or (2) of this subsection, to**  
15 **the decedent's surviving parent, if the parent was a dependent as defined under § 152 of**  
16 **the Internal Revenue Code; or**

17                           **(4) if no individual is eligible under item (1), (2), or (3) of this**  
18 **subsection, to the decedent's estate.**

19           **(d) (1) Any benefit awarded by the Secretary of State Police under**  
20 **subsection (b)(1) of this section shall be paid and funded in accordance with the**  
21 **benefits provided under § 1-202 of the Public Safety Article.**

22                           **(2) Any benefit awarded by the Secretary of Budget and Management**  
23 **under subsection (b)(2) of this section shall be paid and funded in accordance with the**  
24 **benefits provided under § 10-404 of the State Personnel and Pensions Article.**

25           **SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act**  
26 **shall apply only to all policies and contracts for life insurance coverage issued on or**  
27 **renewed by the State Employee and Retiree Health and Welfare Benefits Program on or**  
28 **after October 1, 2009.**

29           **SECTION ~~3~~ 4. AND BE IT FURTHER ENACTED, That this Act shall take**  
30 **effect ~~October~~ July 1, 2009. Section 2 of this Act shall remain effective for a period of 6**  
31 **months and, at the end of December 31, 2009, with no further action required by the**  
32 **General Assembly, Section 2 of this Act shall be abrogated and of no further force and**  
33 **effect.**