

SENATE BILL 712

E4

9lr1749

By: **Senators Mooney, Brinkley, Dyson, and Robey**

Introduced and read first time: February 6, 2009

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Trooper Tobin Triebel Benefits Memorial Act**

3 FOR the purpose of expanding the circumstances under which a police employee of the
4 Department of State Police is considered to have died in the performance of
5 duties for purposes of paying a certain death benefit; providing for the
6 application of this Act; and generally relating to death benefits for police
7 employees of the Department of State Police.

8 BY repealing and reenacting, with amendments,
9 Article – Public Safety
10 Section 1–202(b)(1)
11 Annotated Code of Maryland
12 (2003 Volume and 2008 Supplement)

13 BY adding to
14 Article – Public Safety
15 Section 1–202(c–1)
16 Annotated Code of Maryland
17 (2003 Volume and 2008 Supplement)

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

20 **Article – Public Safety**

21 1–202.

22 (b) (1) Subject to [subsection (c)] **SUBSECTIONS (C) AND (C–1)** of this
23 section and paragraph (2) of this subsection, a death benefit of \$125,000 shall be paid
24 to the surviving spouse, child, dependent parent, or estate of each of the following

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 individuals who is killed or dies in the performance of duties on or after January 1,
2 2006:

- 3 (i) a law enforcement officer;
- 4 (ii) a correctional officer;
- 5 (iii) a volunteer or career firefighter or rescue squad member;
- 6 (iv) a sworn member of the office of State Fire Marshal;
- 7 (v) a public safety aviation employee; or
- 8 (vi) a Maryland resident who was a member of the uniform
9 services of the United States serving in the Afghanistan or Iraq conflict.

10 **(C-1) FOR PURPOSES OF DETERMINING WHETHER A DEATH BENEFIT IS**
11 **PAYABLE UNDER SUBSECTION (B) OF THIS SECTION, A LAW ENFORCEMENT**
12 **OFFICER WHO IS A POLICE EMPLOYEE OF THE DEPARTMENT OF STATE POLICE**
13 **IS CONSIDERED TO HAVE DIED IN THE PERFORMANCE OF DUTIES IF THE**
14 **INDIVIDUAL DIES WHILE ENGAGING IN ACTIVITIES THAT DIRECTLY RELATE TO**
15 **THE INDIVIDUAL'S PERFORMANCE OF DUTIES, INCLUDING EXERCISING AND**
16 **ACTIVITY COMMONLY KNOWN AS WORKING OUT.**

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
18 construed to apply retroactively and shall apply to a police employee of the
19 Department of State Police who dies in the performance of duties on or after
20 November 1, 2008.

21 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2009.