

CHAPTER 307

(Senate Bill 711)

AN ACT concerning

Trooper Tobin Triebel ~~Life Insurance~~ Memorial Act

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

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 2–503
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

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

Article – State Personnel and Pensions

2–503.

- (a) The Secretary shall:
- (1) adopt regulations for the administration of the Program;
 - (2) ensure that the Program complies with all federal and State laws governing employee benefit plans; and
 - (3) each year, recommend to the Governor the State share of the costs of the Program.
- (b) (1) The Secretary may arrange as the Secretary considers appropriate any benefit option for inclusion in the Program.

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

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

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

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

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

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

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

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

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

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

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

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

(i) without State subsidies; and

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

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

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

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

SECTION 2. AND BE IT FURTHER ENACTED, That:

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

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

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

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

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

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

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

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

(1) to the decedent's surviving spouse;

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

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

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

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

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

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

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

Approved by the Governor, May 7, 2009.