

**SB0953/107271/1**

BY: Finance Committee

AMENDMENTS TO SENATE BILL 953  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Death”; in line 3, after the first “of” insert “repealing a certain provision of law that allows dependents of certain employees to receive workers’ compensation benefits awarded for certain occupational diseases in addition to certain retirement benefits;”; in line 21, after “pay;” insert “requiring the Workers’ Compensation Commission to reconvene a certain workgroup; requiring the Commission to direct a certain workgroup to study certain provisions; requiring the Commission to report certain findings and recommendations by a certain date to certain committees; providing for the application of this Act;”; and in line 22, strike “death”.

On page 2, in line 1, after “Section” insert “9-503(e).”.

AMENDMENT NO. 2

On page 2, after line 16, insert:

“9-503.

(e) (1) Except as provided in paragraph (2) of this subsection, any paid firefighter, paid fire fighting instructor, sworn member of the Office of the State Fire Marshal, paid police officer, paid law enforcement employee of the Department of Natural Resources, a park police officer or employee of the Maryland–National Capital Park and Planning Commission, deputy sheriff of Montgomery County, deputy sheriff of Baltimore City, Montgomery County correctional officer, deputy sheriff of Prince George’s County, or Prince George’s County correctional officer who is eligible for benefits under subsection (a), (b), (c), or (d) of this section [or the dependents of those individuals] shall receive the benefits in addition to any benefits that the individual

(Over)

[or the dependents of the individual are] IS entitled to receive under the retirement system in which the individual was a participant at the time of the claim.

(2) The benefits received under this title shall be adjusted so that the weekly total of those benefits and retirement benefits does not exceed the weekly salary that was paid to the paid law enforcement employee of the Department of Natural Resources, a park police officer or employee of the Maryland–National Capital Park and Planning Commission, firefighter, fire fighting instructor, sworn member of the Office of the State Fire Marshal, police officer, deputy sheriff, or Prince George’s County or Montgomery County correctional officer.”.

On page 6, after line 24, insert:

“(7) (I) THIS PARAGRAPH APPLIES TO A DEATH BENEFIT PAID TO A DEPENDENT OF A DECEASED COVERED EMPLOYEE OF A COUNTY, MUNICIPAL CORPORATION, OR OTHER LOCAL GOVERNMENTAL UNIT OR QUASI-PUBLIC CORPORATION.

(II) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE DEATH BENEFIT PAID UNDER THIS SECTION SHALL BE REDUCED ON A DOLLAR-FOR-DOLLAR BASIS BY ANY DEATH BENEFIT PAID ON BEHALF OF THE DECEASED COVERED EMPLOYEE BY ANY RETIREMENT OR PENSION SYSTEM RELATED TO THE EMPLOYMENT COVERED BY THE PRESUMPTION IN WHICH THE DECEASED COVERED EMPLOYEE WAS A PARTICIPANT AT THE TIME OF DEATH.”.

AMENDMENT NO. 3

On page 10, after line 9, insert:

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

(a) The Workers' Compensation Commission shall reconvene the workgroup of representatives of the various stakeholders that was established under Chapters 616 and 617 of the Acts of 2009 to study the death benefit provisions of the workers' compensation law.

(b) (1) The Commission shall direct the workgroup to study the provisions of the workers' compensation law that allow a reduction of workers' compensation death benefits against the payment of a death benefit provided under a retirement or pension system for a dependent of a covered employee of a governmental unit or a quasi-public corporation.

(2) In studying the provisions specified in paragraph (1) of this subsection, the workgroup shall determine whether the provisions provide fair and equitable benefits to all dependents.

(c) On or before December 1, 2009, the Commission shall report, in accordance with § 2-1246 of the State Government Article, the findings and any recommendations of the workgroup to the Senate Finance Committee and the House Economic Matters Committee.

SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall be construed to apply only prospectively to deaths occurring on or after the effective date of this Act and may not be applied or interpreted to have any effect on or application to any death occurring before the effective date of this Act.”;

and in line 10, strike “2.” and substitute “4.”.