

# HOUSE BILL 1574

K4, P4

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By: **Delegates Adams and Mautz**

Introduced and read first time: February 10, 2020

Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

1 AN ACT concerning

2 **State Personnel and Pensions – Thurgood Marshall Baltimore–Washington**  
3 **International Airport Retirees – Health Benefits**

4 FOR the purpose of authorizing certain retirees who began employment with the BWI  
5 Airport Fire and Rescue Department before a certain date and who are receiving a  
6 retirement allowance from the Baltimore City Fire and Police Employees'  
7 Retirement System to participate in the State Employee and Retiree Health and  
8 Welfare Benefits Program; authorizing certain spouses and dependent children of  
9 certain deceased retirees to participate in the Program; altering certain definitions;  
10 and generally relating to the eligibility of certain BWI Airport Fire and Rescue  
11 Department employees and dependents to participate in the State Employee and  
12 Retiree Health and Welfare Benefits Program.

13 BY repealing and reenacting, with amendments,  
14 Article – State Personnel and Pensions  
15 Section 2–508(a) and (b)  
16 Annotated Code of Maryland  
17 (2015 Replacement Volume and 2019 Supplement)

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

20 **Article – State Personnel and Pensions**

21 2–508.

22 (a) (1) In this section the following words have the meanings indicated.

23 (2) “Creditable service” means:

24 (i) service credited toward a retirement allowance under Division II

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 of this article;

2 (ii) service while a member of the Judges' Retirement System under  
3 Title 27 of this article;

4 (iii) service while an employee was employed by the Domestic  
5 Relations Division of the Anne Arundel County Circuit Court, prior to transfer on or before  
6 July 1, 2002 into the State Personnel Management System, in accordance with § 2-510 of  
7 the Courts Article; [or]

8 (iv) service while a member of the Maryland Transit Administration  
9 Retirement Plan under § 7-206 of the Transportation Article; **OR**

10 (v) **SERVICE WHILE AN EMPLOYEE WAS EMPLOYED BY THE BWI**  
11 **AIRPORT FIRE AND RESCUE DEPARTMENT WHO:**

12 **1. BEGAN EMPLOYMENT WITH THE BWI AIRPORT FIRE**  
13 **AND RESCUE DEPARTMENT BEFORE OCTOBER 1, 1993; AND**

14 **2. IS RECEIVING A RETIREMENT ALLOWANCE FROM THE**  
15 **BALTIMORE CITY FIRE AND POLICE EMPLOYEES' RETIREMENT SYSTEM.**

16 (3) (i) "Retiree" means:

17 1. a former State employee who receives a retirement  
18 allowance under Division II of this article;

19 2. a former employee of the Medical System Corporation, as  
20 defined in § 13-301 or § 13-401 of the Education Article, who receives a retirement  
21 allowance from the Employees' Retirement System of the State of Maryland or the  
22 Employees' Pension System of the State of Maryland under Title 22 or Title 23 of this  
23 article; [or]

24 3. a former employee of the Maryland Transit  
25 Administration who receives a Maryland Transit Administration retirement allowance  
26 under § 7-206 of the Transportation Article; **OR**

27 **4. A FORMER EMPLOYEE OF THE BWI AIRPORT FIRE**  
28 **AND RESCUE DEPARTMENT WHO:**

29 **A. BEGAN EMPLOYMENT WITH THE BWI AIRPORT FIRE**  
30 **AND RESCUE DEPARTMENT BEFORE OCTOBER 1, 1993; AND**

31 **B. RECEIVES A RETIREMENT ALLOWANCE FROM THE**  
32 **BALTIMORE CITY FIRE AND POLICE EMPLOYEES' RETIREMENT SYSTEM.**

1 (ii) "Retiree" does not include:

2 1. a member of the faculty or staff of a community college;

3 2. a teacher or a staff member employed by a county board of  
4 education; or

5 3. an individual who retired under an optional program  
6 under Title 30 of this article.

7 (4) "State service" means service with the State by:

8 (i) an employee while a member of the Employees' Retirement  
9 System or the Employees' Pension System under Title 22 or Title 23 of this article;

10 (ii) a member of the Judges' Retirement System under Title 27 of  
11 this article;

12 (iii) a teacher while a member of the Teachers' Retirement System or  
13 Teachers' Pension System under Title 22 or Title 23 of this article;

14 (iv) a correctional officer, while a member of the Correctional  
15 Officers' Retirement System under Title 25 of this article;

16 (v) an employee of the Medical System Corporation, as defined in §  
17 13-301 or § 13-401 of the Education Article, while a member of the Employees' Retirement  
18 System of the State of Maryland or the Employees' Pension System of the State of Maryland  
19 under Title 22 or Title 23 of this article;

20 (vi) a State Police officer while a member of the State Police  
21 Retirement System under Title 24 of this article;

22 (vii) a law enforcement officer while a member of the Law  
23 Enforcement Officers' Pension System under Title 26 of this article; [or]

24 (viii) an employee while a member of the Maryland Transit  
25 Administration Plan under § 7-206 of the Transportation Article; **OR**

26 **(IX) AN INDIVIDUAL, WHILE AN EMPLOYEE OF THE BWI**  
27 **AIRPORT FIRE AND RESCUE DEPARTMENT, WHO:**

28 **1. BEGAN EMPLOYMENT WITH THE BWI AIRPORT FIRE**  
29 **AND RESCUE DEPARTMENT BEFORE OCTOBER 1, 1993; AND**

30 **2. IS RECEIVING A RETIREMENT ALLOWANCE FROM THE**

1 **BALTIMORE CITY FIRE AND POLICE EMPLOYEES' RETIREMENT SYSTEM.**

2 (b) (1) This subsection applies to a retiree who:

3 (i) began State service on or before June 30, 2011; or

4 (ii) 1. began State service on or after July 1, 2011; and

5 2. is a retiree of the Judges' Retirement System.

6 (2) A retiree may enroll and participate in the health insurance benefit  
7 options established under the Program if the retiree:

8 (i) ended State service with at least 10 years of creditable service  
9 and within 5 years before the age at which a vested retirement allowance normally would  
10 begin;

11 (ii) ended State service with at least 16 years of creditable service;

12 (iii) ended State service on or before June 30, 1984;

13 (iv) retired directly from State service with a State retirement  
14 allowance on or after July 1, 1984, and had at least 5 years of creditable service; or

15 (v) retired directly from State service with a State disability  
16 retirement allowance on or after July 1, 1984.

17 (3) (i) The surviving spouse or dependent child of a deceased retiree  
18 who was eligible to enroll may enroll and participate in the health insurance benefit options  
19 established under the Program as long as the spouse or child is receiving a periodic  
20 allowance under Division II of this article [or], the Maryland Transit Administration  
21 Retirement Plan under § 7-206 of the Transportation Article, **OR THE BALTIMORE CITY**  
22 **FIRE AND POLICE EMPLOYEES' RETIREMENT SYSTEM.**

23 (ii) Subparagraph (i) of this paragraph does not apply to a deceased  
24 retiree's spouse or dependent child who receives an Option 1, Option 4, or Option 7 benefit  
25 under Division II of this article [or], a lump-sum payment of benefits under the Maryland  
26 Transit Administration Retirement Plan under § 7-206 of the Transportation Article, **OR**  
27 **A LUMP-SUM PAYMENT OF BENEFITS FROM THE BALTIMORE CITY FIRE AND**  
28 **POLICE EMPLOYEES' RETIREMENT SYSTEM.**

29 (4) (i) If a retiree receives a State disability retirement allowance or has  
30 16 or more years of creditable service, the retiree or the retiree's surviving spouse or  
31 dependent child is entitled to the same State subsidy allowed a State employee.

32 (ii) In all other cases, if a retiree has at least 5 years of creditable

1 service, the retiree or the retiree's surviving spouse or dependent child is entitled to 1/16 of  
2 the State subsidy allowed a State employee for each year of the retiree's creditable service  
3 up to 16 years.

4 (iii) Notwithstanding subparagraph (ii) of this paragraph and  
5 subsection (a)(4)(i) of this section, if a retiree is an additional employee or agent of the State  
6 Racing Commission, for the purposes of determining a retiree's State subsidy, creditable  
7 service shall be determined with respect to service as an additional employee or agent  
8 beginning from the initial date of employment or January 1, 1986, whichever is later.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
10 1, 2020.