

Chapter 445

(House Bill 379)

AN ACT concerning

**State Employee and Retiree Health and Welfare Benefits Program – Eligibility  
for Enrollment and Participation  
(Independent Agency Health Insurance Option Act)**

FOR the purpose of authorizing employees of the Maryland Agricultural and Resource-Based Industry Development Corporation, and the Maryland Clean Energy Center, ~~and the Bainbridge Development Corporation~~ to enroll and participate in the health insurance benefit options established under the State Employee and Retiree Health and Welfare Benefits Program under certain circumstances; requiring the Secretary of Budget and Management to make a certain determination within a certain period of time; requiring the Secretary of Budget and Management to submit a certain report; and generally relating to the State Employee and Retiree Health and Welfare Benefits Program.

BY adding to  
Article – State Personnel and Pensions  
Section 2-515.3  
Annotated Code of Maryland  
(2015 Replacement Volume and 2021 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**

**2-515.3.**

**(A) THIS SECTION APPLIES TO THE MARYLAND AGRICULTURAL AND RESOURCE-BASED INDUSTRY DEVELOPMENT CORPORATION, AND THE MARYLAND CLEAN ENERGY CENTER, ~~AND THE BAINBRIDGE DEVELOPMENT CORPORATION.~~**

**(B) IF THE SECRETARY DETERMINES THAT AN ENTITY SUBJECT TO THIS SECTION IS AN ELIGIBLE ENTITY, AN EMPLOYEE OF THE ENTITY MAY ENROLL AND PARTICIPATE IN THE HEALTH INSURANCE BENEFIT OPTIONS ESTABLISHED UNDER THE PROGRAM WITH THE APPROVAL OF THE ENTITY.**

**(C) AN ENTITY SUBJECT TO THIS SECTION SHALL:**

**(1) PAY TO THE STATE THE TOTAL COSTS RESULTING FROM THE PARTICIPATION OF ITS EMPLOYEES IN THE PROGRAM; AND**

**(2) DETERMINE THE EXTENT TO WHICH THE ENTITY WILL SUBSIDIZE PARTICIPATION OF ITS EMPLOYEES IN THE PROGRAM.**

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) Within ~~30~~ 60 days of the effective date of this Act, the Secretary of Budget and Management shall determine whether the entities subject to § 2–515.3 of the State Personnel and Pensions Article, as enacted by Section 1 of this Act, are eligible to enroll and participate in the health insurance benefit options established under the State Employee and Retirement Health and Welfare Benefits Program.

(b) The Secretary shall notify the Department of Legislative Services within 5 days of making the determination required under subsection (a) of this section.

(c) If the Secretary determines that all of the entities subject to § 2–515.3 of the State Personnel and Pensions Article, as enacted by Section 1 of this Act, are not eligible to enroll and participate in the health insurance benefit options established under the Program, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

SECTION 3. AND BE IT FURTHER ENACTED, That, on or before December 1, 2022, the Secretary of Budget and Management shall submit a report, in accordance with § 2–1257 of the State Government Article, to the Senate Budget and Taxation Committee and the House Appropriations Committee on the participation by non–State entities in the State Employee and Retiree Health and Welfare Benefits Program, including:

- (1) the non–State entities approved to participate in the program;
- (2) the benefits in which employees and retirees of each entity are eligible to participate;
- (3) the aggregate number of employees and retirees of non–State entities participating in the program; and
- (4) the employer subsidies provided by each participating entity.

SECTION ~~3~~ 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2022.

**Approved by the Governor, May 16, 2022.**