

SB0454 Testimony.pdf

Uploaded by: Jaden Farris

Position: FAV



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February 16, 2023

SB 0454 - State Police Retirement System, Law Enforcement Officers' Pension System, and Judges' Retirement System - Surviving Spouse Benefit - Same-Sex Spouses

Position: SUPPORT

Annapolis Pride's mission is to to advocate for, empower, and celebrate our LGBTQ+ community in Anne Arundel County to live fully and authentically. Our vision is a safe, equitable, and anti-racist community where people of all identities thrive.

As such, the Board of Directors of Annapolis Pride enthusiastically supports Senate Bill 0454, which recognizes the rights of same-sex couples who were unable to legally marry until recent years. Before marriage equality, same-sex couples were unable to name their partners as designated beneficiaries for their retirement benefits as a result of legal restrictions in place.

This legislation ensures that those who were unable to name their partners as beneficiaries in the past can do so now, and is a small step in the right direction towards recognizing the hard-fought legal rights of same-sex couples.

For these reasons, Annapolis Pride respectfully requests a favorable report on Senate Bill 0454.

Respectfully submitted,

Jaden T. Farris
Board Member
Annapolis Pride

Elfreth_FAV_SB454.docx.pdf

Uploaded by: Sarah Elfreth

Position: FAV

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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

February 16, 2023

Testimony in Favor of SB0454
State Police Retirement System, Law Enforcement Officers' Pension System, and Judges'
Retirement System - Surviving Spouse Benefit - Same-Sex Spouses

Chairman Jackson and fellow members of the Pensions Subcommittee:

I respectfully request a favorable report of Senate Bill 454 to right a wrong for our same-sex couples as it relates to their pension and surviving spouse benefits in the State Police Retirement System, Law Enforcement Officers' Pension System, and Judges' Retirement System.

As this Committee is aware, the State Police Retirement System (SPRS), Law Enforcement Officers' Pension System (LEOPS), and Judges' Retirement System (JRS) are the only three Pension systems in which a member can receive the full basic allowance and it automatically will provide a surviving spouse benefit of a certain percentage of their full basic allowance upon the members death – without the need to choose to take a lower basic allowance to do so.

The problem SB454 seeks to solve is for same-sex couples that retired on or before December 31, 2012 – when same-sex marriage became fully legalized. Prior to 2013, members of SRPS, LEOPS, and JRS who wished to provide a surviving benefit to their partner had to choose an option for their retirement that provided a lower basic allowance and a lower survivor benefit. Yet, same-sex couples that married after legalization in 2013 automatically receive the percentage of surviving spouse benefit – creating an unfair, and inequitable system for those that were unable to marry before our law changes but still spent their lives in service to our State.

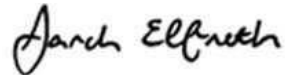
This legislation will right this wrong by:

1. Creating a process in which eligible retirees and surviving spouses of the aforementioned Systems can request their benefits be recalculated to allow the full monthly allowance and the correct percentage as a surviving spouse benefit.

2. Authorizing a lump sum payment to the retiree or the surviving spouse of the benefit amount they should have received at the original basic allowance rate.

This legislation is mirrored off of local legislation passed in Anne Arundel County¹ to fix this – and it is time that we do the same for all Marylanders. Once again I respectfully request a favorable report of Senate Bill 454.

Sincerely,



Sarah Elfreth

¹<https://www.capitalgazette.com/politics/ac-cn-same-sex-pension-election-bill-20220404-ipmvxvjwqrer7drxvhvdkerym4-story.html>