

MARYLAND JUDICIAL CONFERENCE
GOVERNMENT RELATIONS AND PUBLIC AFFAIRS

Hon. Matthew J. Fader
Chief Justice

187 Harry S. Truman Parkway
Annapolis, MD 21401

MEMORANDUM

TO: House Appropriations Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523
RE: House Bill 768
Judges' Retirement System – Special Death Benefit
DATE: February 7, 2024
(2/27)
POSITION: Support

The Maryland Judiciary supports House Bill 768. HB 768, if enacted on June 1, 2024, has three important components. The proposed legislation amends section 2-507 of the State Personnel and Pension (SPP) Article to allow a surviving child or dependent parent of an individual who is a member of the Judges' Retirement System and who died while employed by the State to enroll and participate in the health insurance benefit options established under the program as long as the child or parent is receiving an allowance under Title 29.

The second proposed change under HB 768 is the establishment of a new section 29-403.3 which is categorized as an exception to section 27-403 of the SPP Article under a proposed section (D). The proposed section 29-204.3 of the SPP Article applies when an individual is killed while a member of the Judges' Retirement System without willful negligence by the member and when the death arises out of the course of the actual performance of duty. This proposed subsection establishes that the Board of Trustees must pay the surviving spouse, a child under the age of 26, a disabled child, or a dependent parent the member's accumulated contributions to the designated beneficiary and an allowance of two-thirds of the member's final compensation to the surviving spouse and if there is no surviving spouse or if the spouse dies, to any children under the age of 26 years or disabled child, and if there is no children under the age of 26 years old or disabled child, to a dependent parent for the rest of their life.

Lastly, the proposed legislation applies to the surviving spouse of a member who is killed while a member of the Judges' Retirement System prior to the effective date of the Act, without willful negligence and with a death arising out of or in the course of the actual performance of the member's duties. The Judiciary supports this legislation.

cc. Hon. Dana Jones
Judicial Council
Legislative Committee
Kelley O'Connor