

HOUSE BILL 742

P6

2lr1815
CF SB 409

By: **Delegate Lierman (Chair, Joint Committee on Pensions)**

Introduced and read first time: February 3, 2022

Assigned to: Appropriations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 25, 2022

CHAPTER _____

1 AN ACT concerning

2 **State Retirement and Pension System – COVID–19–Related Death Benefits –**
3 **Sunset Extension**

4 FOR the purpose of extending the termination dates of certain provisions clarifying the
5 eligibility of certain members of the State Retirement and Pension System for certain
6 death benefits; and generally relating to clarifying eligibility for certain death
7 benefits.

8 BY repealing and reenacting, with amendments,
9 Chapter 421 of the Acts of the General Assembly of 2021
10 Section 2(b), (c), and (h)(2) and (3) and 4

11 BY repealing and reenacting, with amendments,
12 Chapter 422 of the Acts of the General Assembly of 2021
13 Section 2(b), (c), and (h)(2) and (3) and 4

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

16 **Chapter 421 of the Acts of 2021**

17 **SECTION 2. AND BE IT FURTHER ENACTED, That:**

18 (b) This section applies to an individual:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (1) who was a member;

2 (2) who died while employed as a member on or after March 5, 2020, but
3 before July 1, [2022] **2023**; and

4 (3) whose death was caused by COVID-19 or whose death was contributed
5 to by COVID-19.

6 (c) When determining eligibility for a special death benefit under this section, the
7 Board shall accept as proof, subject to a rebuttable presumption, that the death of a member
8 arose out of or in the course of the actual performance of duty if:

9 (1) the member reported to the member's usual work location or to an
10 alternative work location provided by the member's employer that is not the member's
11 home;

12 (2) the member contracted COVID-19 within 14 days after reporting to
13 work, as documented in accordance with subsection (d)(1) of this section;

14 (3) the member died on or after March 5, 2020, but before July 1, [2022]
15 **2023**; and

16 (4) COVID-19 was the cause of death or contributed to the cause of death
17 of the member, as documented in accordance with subsection (d)(2) of this section.

18 (h) (2) The State Retirement Agency shall report to the Joint Committee on
19 Pensions, in accordance with § 2-1257 of the State Government Article, on the number of
20 special death benefits that have been provided for deaths caused by or contributed to by
21 COVID-19:

22 (i) on or before September 15, 2021, for any benefits awarded on or
23 after June 1, 2021, but before September 1, 2021;

24 (ii) on or before December 15, 2021, for any benefits awarded on or
25 after September 1, 2021, but before December 1, 2021;

26 (iii) on or before March 15, 2022, for any benefits awarded on or after
27 December 1, 2021, but before March 1, 2022; [and]

28 (iv) on or before June 15, 2022, for any benefits awarded on or after
29 March 1, 2022, but before June 1, 2022; AND

30 (v) **ON OR BEFORE DECEMBER 1, 2022, FOR ANY BENEFITS**
31 **AWARDED ON OR AFTER JUNE 1, 2022, BUT BEFORE DECEMBER 1, 2022.**

1 (3) On or before December 1, 2021, AND DECEMBER 1, 2022, in
2 accordance with § 2-1257 of the State Government Article, the State Retirement Agency
3 shall report to the Joint Committee on Pensions on:

4 (i) the number of applications for special death benefits for deaths
5 caused by or contributed to by COVID-19 that have been denied; and

6 (ii) an aggregate summary of the reasons for which any applications
7 reported under item (i) of this paragraph were denied.

8 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect June
9 1, 2021. It shall remain effective for a period of [1 year] **2 YEARS** and 1 month and, at the
10 end of June 30, [2022] **2023**, this Act, with no further action required by the General
11 Assembly, shall be abrogated and of no further force and effect.

12 Chapter 422 of the Acts of 2021

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

14 (b) This section applies to an individual:

15 (1) who was a member;

16 (2) who died while employed as a member on or after March 5, 2020, but
17 before July 1, [2022] **2023**; and

18 (3) whose death was caused by COVID-19 or whose death was contributed
19 to by COVID-19.

20 (c) When determining eligibility for a special death benefit under this section, the
21 Board shall accept as proof, subject to a rebuttable presumption, that the death of a member
22 arose out of or in the course of the actual performance of duty if:

23 (1) the member reported to the member's usual work location or to an
24 alternative work location provided by the member's employer that is not the member's
25 home;

26 (2) the member contracted COVID-19 within 14 days after reporting to
27 work, as documented in accordance with subsection (d)(1) of this section;

28 (3) the member died on or after March 5, 2020, but before July 1, [2022]
29 **2023**; and

30 (4) COVID-19 was the cause of death or contributed to the cause of death
31 of the member, as documented in accordance with subsection (d)(2) of this section.

1 (h) (2) The State Retirement Agency shall report to the Joint Committee on
2 Pensions, in accordance with § 2–1257 of the State Government Article, on the number of
3 special death benefits that have been provided for deaths caused by or contributed to by
4 COVID–19:

5 (i) on or before September 15, 2021, for any benefits awarded on or
6 after June 1, 2021, but before September 1, 2021;

7 (ii) on or before December 15, 2021, for any benefits awarded on or
8 after September 1, 2021, but before December 1, 2021;

9 (iii) on or before March 15, 2022, for any benefits awarded on or after
10 December 1, 2021, but before March 1, 2022; [and]

11 (iv) on or before June 15, 2022, for any benefits awarded on or after
12 March 1, 2022, but before June 1, 2022; AND

13 (v) ON OR BEFORE DECEMBER 1, 2022, FOR ANY BENEFITS
14 AWARDED ON OR AFTER JUNE 1, 2022, BUT BEFORE DECEMBER 1, 2022.

15 (3) On or before December 1, 2021, AND DECEMBER 1, 2022, in
16 accordance with § 2–1257 of the State Government Article, the State Retirement Agency
17 shall report to the Joint Committee on Pensions on:

18 (i) the number of applications for special death benefits for deaths
19 caused by or contributed to by COVID–19 that have been denied; and

20 (ii) an aggregate summary of the reasons for which any applications
21 reported under item (i) of this paragraph were denied.

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23 1, 2021. It shall remain effective for a period of [1 year] **2 YEARS** and 1 month and, at the
24 end of June 30, [2022] **2023**, this Act, with no further action required by the General
25 Assembly, shall be abrogated and of no further force and effect.

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27 1, 2022.