

Chapter 355

**(Senate Bill 409)**

AN ACT concerning

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

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

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

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

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

**Chapter 421 of the Acts of 2021**

SECTION 2. AND BE IT FURTHER ENACTED, That:

(b) This section applies to an individual:

(1) who was a member;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 2. AND BE IT FURTHER ENACTED, That:

(b) This section applies to an individual:

(1) who was a member;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2022.

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