

SB0409/273629/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 409
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after “Pensions)”, insert “and Senators Corderman, Eckardt, Edwards, Griffith, Guzzone, Jackson, King, McCray, Rosapepe, Salling, Young, and Zucker”; in line 10, after “Section” insert “2(b), (c), and (h)(2) and (3), and”; and in line 13, after “Section” insert “2(b), (c), and (h)(2) and (3), and”.

AMENDMENT NO. 2

On page 1, after line 16, insert:

“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;

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(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.”;

and after line 21, insert:

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“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;

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(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.”.