

# SENATE BILL 409

P6

2lr1816  
CF HB 742

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By: **Senator Elfreth (Chair, Joint Committee on Pensions) and Senators Corderman, Eckardt, Edwards, Griffith, Guzzone, Jackson, King, McCray, Rosapepe, Salling, Young, and Zucker**

Introduced and read first time: January 24, 2022

Assigned to: Budget and Taxation

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 15, 2022

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## 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:

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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           **(b)**    This section applies to an individual:

2                   **(1)**    who was a member;

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

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

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

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

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

15                   **(3)**    the member died on or after March 5, 2020, but before July 1, [2022]  
16 **2023**; and

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

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

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

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

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

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

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



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.

22           SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect June  
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.

26           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June  
27 1, 2022.