

CHAPTER 471

(House Bill 337)

AN ACT concerning

Disability Retirement Benefits - Employees of Participating Governmental Units - Offset for Workers' Compensation Benefits - Exclusion

FOR the purpose of providing that a retiree of the Employees' Pension System or the Employees' Retirement System who receives a disability retirement benefit as a former employee of a governmental unit that participates in the systems or a designated beneficiary of the retiree is not subject to an offset of those benefits under a certain provision of the Code due to receipt of workers' compensation benefits, but is subject to an offset of the workers' compensation benefits; and generally relating to the offset of benefits of a retiree of the Employees' Pension System or the Employees' Retirement System who receives a disability retirement benefit as a former employee of certain governmental units that participate in the employees' systems.

BY repealing and reenacting, with amendments,

Article - State Personnel and Pensions

Section 29-118

Annotated Code of Maryland

(1997 Replacement Volume)

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

Article - State Personnel and Pensions

29-118.

(a) (1) Except as otherwise provided in this subsection, this section applies to a retiree and any designated beneficiary.

(2) (i) This section does not apply to a retiree of the Employees' Pension System or the Employees' Retirement System who receives a disability retirement benefit as a former employee of a county board of education [or], the Board of School Commissioners of Baltimore City, OR A PARTICIPATING GOVERNMENTAL UNIT or a designated beneficiary of that retiree.

(ii) A retiree of the Employees' Pension System or the Employees' Retirement System who receives a disability benefit as a former employee of a county board of education [or], the Board of School Commissioners of Baltimore City, OR A PARTICIPATING GOVERNMENTAL UNIT or a designated beneficiary of that retiree is subject to § 9-610 of the Labor and Employment Article.

(b) (1) The Board of Trustees shall reduce a disability retirement benefit by any related workers' compensation benefits paid or payable after the effective date of retirement if the workers' compensation benefits: