

HB0249/919633/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 249
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “providing” in line 4 down through “organizations;” in line 7 and substitute “requiring a retiree organization to submit certain information to the Board of Trustees of the State Retirement and Pension System; requiring the Board of Trustees to review certain direct mailing materials before submitting retiree data to a mail processing center; altering the definition of “retiree organization” to expand the definition to include any organization in which State retirees participate and whose primary purpose is representing or providing services to those retirees; providing for the application of certain provisions of this Act;”; strike beginning with “defining” in line 9 down through “term;” in line 10; in line 10, after “date” insert “of certain provisions”; and after line 17, insert:

“BY repealing and reenacting, with amendments,

Article - State Personnel and Pensions

Section 21-128

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

(As enacted by Section 1 of this Act)”.

AMENDMENT NO. 2

On page 2, after line 1, insert:

“21-128.

(a) In this section, “retiree organization” means the Maryland Retired School Personnel Association.

(Over)

(b) (1) A retiree organization may submit only one request in both April and October of each year to the Board of Trustees to assist the retiree organization in performing direct mailings to retirees of the several systems who are members of the retiree organization or eligible to become members of the retiree organization.

(2) The direct mailings may not be for the purpose of supporting or opposing any political party, ballot measure, or candidate in any election, including any State general or primary election or any election within the retiree organization.

(3) (i) The Board of Trustees shall provide the retiree data for addressing envelopes only to the mail processing center under a secure data share agreement with the mail processing center under which neither the retiree organization nor any other entity has direct access to any names or addresses.

(ii) If the Board of Trustees provides any retiree data to a mail processing center under subparagraph (i) of this paragraph, the Board of Trustees is not required to notify a retiree whose data is released of the provisions of § 21-504 of this title.

(4) (I) A RETIREE ORGANIZATION SHALL PROVIDE THE BOARD OF TRUSTEES WITH COPIES OF ALL MATERIALS THAT WILL BE INCLUDED IN THE DIRECT MAILING.

(II) THE BOARD OF TRUSTEES SHALL REVIEW THE MATERIALS PROVIDED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH BEFORE PROVIDING ANY RETIREE DATA TO A MAIL PROCESSING CENTER.

(c) The direct mailing shall provide retirees of the several systems who are members of the retiree organization or eligible to become members of the retiree organization with information that explains the services offered by the retiree organization.

(d) (1) A retiree organization is solely responsible for the procurement of a mail processing center under this section.

(2) The retiree organization shall provide all printed materials to be mailed and envelopes to a mail processing center.

(3) The retiree organization is responsible for paying all costs for generating mailing labels, inserting materials into envelopes, sealing, labeling, and delivering materials to be mailed to a bulk mail center or post office.

(4) The retiree organization is responsible for all postage costs involved for the direct mailings.

(e) The Board of Trustees is not liable for the content of any direct mailing sent under this section.

(f) On or before December 31 of each year, the Board of Trustees shall submit a report in accordance with § 2-1246 of the State Government Article to the Joint Committee on Pensions that includes a summary of any complaints received by the State Retirement Agency regarding any mailing received by a retiree under this section.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – State Personnel and Pensions”.

AMENDMENT NO. 3

On page 2, after line 25, insert:

“(4) (i) A retiree organization shall provide the Board of Trustees with copies of all materials that will be included in the direct mailing.

(Over)

(ii) The Board of Trustees shall review the materials provided under subparagraph (i) of this paragraph before providing any retiree data to a mail processing center.”.

AMENDMENT NO. 4

On page 3, after line 12, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That the laws of Maryland read as follows:”.

AMENDMENT NO. 5

On page 3, after line 24, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect July 1, 2012.”;

in line 25, strike “2.” and substitute “5.”; in the same line, after “That” insert “, except as provided in Section 4 of this Act.”; and in line 26, strike “July 1, 2012” and substitute “June 1, 2011”.