

HOUSE BILL 249

K4

11r0763
CF SB 199

By: **Delegate Proctor**

Introduced and read first time: January 31, 2011

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **State Retirement and Pension System – Direct Mailings by Retiree**
3 **Organizations – Repeal of Sunset Provision**

4 FOR the purpose of repealing the termination of certain provisions of law that allow
5 retiree organizations to send direct mailings to retirees of the State Retirement
6 and Pension System; and generally relating to direct mailings by retiree
7 organizations to retirees of the State Retirement and Pension System.

8 BY repealing and reenacting, without amendments,
9 Article – State Personnel and Pensions
10 Section 21–128 and 21–504(c)
11 Annotated Code of Maryland
12 (2009 Replacement Volume and 2010 Supplement)

13 BY repealing and reenacting, with amendments,
14 Chapter 714 of the Acts of the General Assembly of 2010
15 Section 2

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

18 **Article – State Personnel and Pensions**

19 21–128.

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

22 (b) (1) A retiree organization may submit only one request in both April
23 and October of each year to the Board of Trustees to assist the retiree organization in

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 performing direct mailings to retirees of the several systems who are members of the
2 retiree organization or eligible to become members of the retiree organization.

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

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

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

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

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

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

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

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

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

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

34 21–504.

1 (c) (1) Except as provided in § 21–128 of this title, before the release of a
2 name, the Board of Trustees shall notify the individual of the provisions of this
3 section.

4 (2) If an individual notifies the Board of Trustees that the individual
5 does not want the individual’s name or address released to an employee organization,
6 the Board of Trustees may not release the name or address.

7 **Chapter 714 of the Acts of 2010**

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 July 1, 2010. [It shall remain effective for a period 1 year and, at the end of June 30,
10 2011, with no further action required by the General Assembly, this Act shall be
11 abrogated and of no further force and effect.]

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 June 1, 2011.