

Chapter 526

(Senate Bill 497)

AN ACT concerning

Employees' Retirement and Pension Systems – Reemployment of Retirees – Parole and Probation Employees

FOR the purpose of exempting certain individuals who are retirees of the Employees' Retirement System or the Employees' Pension System from certain earnings offsets under certain circumstances if the individuals are reemployed as parole and probation employees; requiring the Secretary of Public Safety and Correctional Services to submit a certain report on certain retirees on or before a certain date; and generally relating to reemployment of certain retirees of the Employees' Retirement System or Employees' Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 22–406(c)(4)(viii) and (ix) and 23–407(c)(4)(vi) and (vii)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY adding to
Article – State Personnel and Pensions
Section 22–406(c)(4)(x) and (p) and 23–407(c)(4)(viii) and (p)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

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

Article – State Personnel and Pensions

22–406.

(c) (4) Except for an individual whose allowance is subject to a reduction as provided under paragraphs (1)(iii) and (3) of this subsection, the reduction of an allowance under this subsection does not apply to:

(viii) a retiree of the Employees' Retirement System who is reemployed on a contractual basis by the Department of Health and Mental Hygiene as a health care practitioner, as defined in § 1–301 of the Health Occupations Article, in:

1. a State residential center as defined in § 7–101 of the Health – General Article;
2. a chronic disease center subject to Title 19, Subtitle 5 of the Health – General Article;
3. a State facility as defined in § 10–101 of the Health – General Article; or
4. a local health department subject to Title 3, Subtitle 2 of the Health – General Article; [or]

(ix) a retiree of the Employees’ Retirement System and the Judges’ Retirement System who is temporarily assigned to sit in a court of this State under the authority of Article IV, § 3A of the Maryland Constitution; OR

(X) A RETIREE OF THE EMPLOYEES’ RETIREMENT SYSTEM WHO IS REEMPLOYED ON A CONTRACTUAL BASIS FOR NOT MORE THAN 4 YEARS AS A PAROLE AND PROBATION EMPLOYEE AS DESCRIBED IN ~~§ 6-108~~ IN A POSITION AUTHORIZED UNDER TITLE 6, SUBTITLE 1 OF THE CORRECTIONAL SERVICES ARTICLE.

(P) ON OR BEFORE SEPTEMBER 1 OF EACH YEAR, THE SECRETARY OF PUBLIC SAFETY AND CORRECTIONAL SERVICES SHALL SUBMIT A REPORT IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE TO THE JOINT COMMITTEE ON PENSIONS THAT PROVIDES:

(1) THE NUMBER OF REHIRED RETIREES UNDER SUBSECTION (C)(4)(X) OF THIS SECTION;

(2) THE ANNUAL SALARY OF EACH REHIRED RETIREE AT THE TIME OF RETIREMENT AND THE CURRENT ANNUAL SALARY OF EACH REHIRED RETIREE;

(3) THE NUMBER OF PAROLE AND PROBATION EMPLOYEES HIRED WHO ARE NOT RETIREES; AND

(4) THE ANNUAL SALARY OF EACH PAROLE AND PROBATION EMPLOYEE WHO IS HIRED.

(c) (4) Except for an individual whose allowance is subject to a reduction as provided under paragraphs (1)(iii) and (3) of this subsection, the reduction of an allowance under this subsection does not apply to:

(vi) a retiree of the Employees' Pension System who is reemployed on a contractual basis by the Department of Health and Mental Hygiene as a health care practitioner, as defined in § 1-301 of the Health Occupations Article in:

1. a State residential center as defined in § 7-101 of the Health – General Article;

2. a chronic disease center subject to Title 19, Subtitle 5 of the Health – General Article;

3. a State facility as defined in § 10-101 of the Health – General Article; or

4. a local health department subject to Title 3, Subtitle 2 of the Health – General Article; [or]

(vii) a retiree of the Employees' Pension System and the Judges' Retirement System who is temporarily assigned to sit in a court of this State under the authority of Article IV, § 3A of the Maryland Constitution; OR

(VIII) A RETIREE OF THE EMPLOYEES' PENSION SYSTEM WHO IS REEMPLOYED ON A CONTRACTUAL BASIS FOR NOT MORE THAN 4 YEARS AS A PAROLE AND PROBATION EMPLOYEE AS DESCRIBED IN ~~§ 6-108~~ IN A POSITION AUTHORIZED UNDER TITLE 6, SUBTITLE 1 OF THE CORRECTIONAL SERVICES ARTICLE.

(P) ON OR BEFORE SEPTEMBER 1 OF EACH YEAR, THE SECRETARY OF PUBLIC SAFETY AND CORRECTIONAL SERVICES SHALL SUBMIT A REPORT IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE TO THE JOINT COMMITTEE ON PENSIONS THAT PROVIDES:

(1) THE NUMBER OF REHIRED RETIREES UNDER SUBSECTION (C)(4)(VIII) OF THIS SECTION;

(2) THE ANNUAL SALARY OF EACH REHIRED RETIREE AT THE TIME OF RETIREMENT AND THE CURRENT ANNUAL SALARY OF EACH REHIRED RETIREE;

(3) THE NUMBER OF PAROLE AND PROBATION EMPLOYEES HIRED WHO ARE NOT RETIREES; AND

(4) THE ANNUAL SALARY OF EACH PAROLE AND PROBATION EMPLOYEE WHO IS HIRED.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2012.

Approved by the Governor, May 22, 2012.