

Article - General Provisions

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§4–312.

(a) Subject to subsections (b) through (e) of this section, a custodian shall deny inspection of a retirement record for an individual.

(b) (1) A custodian shall allow inspection:

(i) by the person in interest;

(ii) by the appointing authority of the individual;

(iii) after the death of the individual, by a beneficiary, a personal representative, or any other person who satisfies the administrators of the retirement and pension systems that the person has a valid claim to the benefits of the individual;

(iv) by any law enforcement agency to obtain the home address of a retired employee of the agency when contact with the retired employee is documented to be necessary for official agency business; and

(v) subject to paragraph (2) of this subsection, by the employees of a county unit that, by county law, is required to audit the retirement records for current or former employees of the county.

(2) (i) The information obtained during an inspection under paragraph (1)(v) of this subsection is confidential.

(ii) The county unit and its employees may not disclose any information obtained during an inspection under paragraph (1)(v) of this subsection that would identify a person in interest.

(c) A custodian shall allow release of information as provided in § 21–504 or § 21–505 of the State Personnel and Pensions Article.

(d) (1) On request, a custodian shall state whether the individual receives a retirement or pension allowance.

(2) On written request, a custodian shall:

(i) disclose the amount of the part of a retirement allowance that is derived from employer contributions and that is granted to:

1. a retired elected or appointed official of the State;

2. a retired elected official of a political subdivision; or

3. a retired appointed official of a political subdivision who is a member of a separate system for elected or appointed officials; and

(ii) disclose the benefit formula and the variables for calculating the retirement allowance of:

1. a current elected or appointed official of the State;

2. a current elected official of a political subdivision; or

3. a current appointed official of a political subdivision who is a member of a separate system for elected or appointed officials.

(e) (1) This subsection applies only to Anne Arundel County.

(2) On written request, a custodian of retirement records shall disclose:

(i) the total amount of the part of a pension or retirement allowance that is derived from employer contributions and that is granted to a retired elected or appointed official of the county;

(ii) the total amount of the part of a pension or retirement allowance that is derived from employee contributions and that is granted to a retired elected or appointed official of the county if the retired elected or appointed official consents to the disclosure;

(iii) the benefit formula and the variables for calculating the retirement allowance of a current elected or appointed official of the county; and

(iv) the amount of the employee contributions plus interest attributable to a current elected or appointed official of the county if the current elected or appointed official consents to the disclosure.

(3) A custodian of retirement records shall maintain a list of those elected or appointed officials of the county who have consented to the disclosure of information under paragraph (2)(ii) or (iv) of this subsection.

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