

SB0103/159732/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 103
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Accrual of Interest” and substitute “Benefits”; in lines 6 and 7, strike “for certain members”; in line 7, after “circumstances,” insert “clarifying the eligibility for a retirement allowance for certain members of the Judges’ Retirement System who are retired by order of the Court of Appeals; establishing the eligibility for a retirement allowance for certain members of the Judges’ Retirement System who are retired by order of the Court of Appeals; providing for the method of calculating a retirement allowance for certain members of the Judges’ Retirement System who are retired by order of the Court of Appeals and have less than a certain amount of service credit;”; in line 14, after “System;” insert “making certain provisions of law relating to the return of accumulated contributions applicable to the Judges’ Retirement System; providing that an individual who was a member of the Judges’ Retirement System on or before a certain date, is separated from employment for a certain period of time, and returns to employment in a position that requires membership in the Judges’ Retirement System, is subject to certain requirements;”; in lines 14 and 15, strike “accrual of interest” and substitute “benefits”; in line 18, after “27-204,” insert “27-401, 27-402(c)(2).”; in the same line, strike “and”; in the same line, after “27-406” insert “, and 29-502”; and after line 20, insert:

“BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 27-402(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2014 Supplement)”

BY repealing
Article – State Personnel and Pensions

(Over)

Section 29-501
Annotated Code of Maryland
(2009 Replacement Volume and 2014 Supplement)”.

AMENDMENT NO. 2

On page 2, before line 4, insert:

“(B) (1) THIS SUBSECTION APPLIES ONLY TO AN INDIVIDUAL WHO BECOMES A MEMBER OF THE JUDGES’ RETIREMENT SYSTEM ON OR AFTER JULY 1, 2012.”;

in line 4, strike “(B)” and substitute “(2)”; strike beginning with the colon in line 5 down through “(2)” in line 8; strike in their entirety lines 11 through 13, inclusive; in line 14, strike “(2)” and substitute “(A)”; and in lines 15, 17, 19, and 20, strike “(I)”, “(II)”, “(III)”, and “(IV)”, respectively, and substitute “(1)”, “(2)”, “(3)”, and “(4)”, respectively.

AMENDMENT NO. 3

On page 2, after line 22, insert:

“27-401.

(a) (1) This subsection applies only to an individual who is a member of the Judges’ Retirement System on or before June 30, 2012.

(2) A member or former member is entitled to a retirement allowance:

(i) on termination of service, if the member is at least 60 years old;

(ii) on the recommendation of the medical board, if the member or former member resigns because of disability;

(iii) when retired by order of the Court of Appeals; or

(iv) at the age of 60 years, if the former member's termination of service occurred earlier.

(b) (1) This subsection applies only to an individual who becomes a member of the Judges' Retirement System on or after July 1, 2012.

(2) A member or former member is entitled to a retirement allowance:

(i) on termination of service, if the member is at least 60 years old and has at least 5 years of eligibility service;

(ii) on the recommendation of the medical board, if the member or former member resigns because of disability;

(iii) when retired by order of the Court of Appeals, IF THE MEMBER HAS AT LEAST 5 YEARS OF ELIGIBILITY SERVICE;

(IV) WHEN RETIRED BY ORDER OF THE COURT OF APPEALS WITH LESS THAN 5 YEARS OF ELIGIBILITY SERVICE, IF THE MEMBER HAS ELIGIBILITY SERVICE EQUAL TO 70 YEARS MINUS THE MEMBER'S AGE WHEN THE MEMBER FIRST BECOMES A MEMBER; or

[(iv)] (V) at the age of 60 years, if the former member's termination of service occurred earlier and the former member had at least 5 years of eligibility service when the former member terminated service.

27-402.

(a) Except as provided in subsection (b) of this section and subject to subsections (c) and (d) of this section, on retirement under this subtitle, a retiree is entitled to receive a retirement allowance that equals two-thirds of the salary payable in that fiscal year to a member holding the same level judicial position as that held by the retiree on termination of service.

(c) (2) (i) This paragraph applies only to an individual who becomes a member of the Judges' Retirement System on or after July 1, 2012.

(ii) On retirement under this subtitle by a retiree who has at least 5 years but less than 16 years of service credit as a member, the retiree is entitled to a reduced retirement allowance that equals the retirement allowance computed under subsection (a) or (b) of this section multiplied by a fraction that has:

1. for its numerator, the number of years of service credit as a member; and
2. for its denominator, 16.

(III) ON RETIREMENT UNDER THIS SUBTITLE BY A RETIREE WHO IS ELIGIBLE TO RETIRE UNDER § 27-401(B)(2)(IV) OF THIS SUBTITLE, THE RETIREE IS ENTITLED TO A REDUCED RETIREMENT ALLOWANCE THAT EQUALS THE RETIREMENT ALLOWANCE COMPUTED UNDER SUBSECTION (A) OR (B) OF THIS SECTION MULTIPLIED BY A FRACTION THAT HAS:

- 1. FOR ITS NUMERATOR, THE NUMBER OF YEARS OF SERVICE CREDIT AS A MEMBER; AND**
- 2. FOR ITS DENOMINATOR, 16.”.**

AMENDMENT NO. 4

On page 4, after line 19, insert:

“[29-501.

This subtitle does not apply to the Judges’ Retirement System.]

[29-502.] 29-501.

The Board of Trustees shall pay a member or former member the amount of the member’s or former member’s accumulated contributions if:

- (1) the member or former member separated from employment for a reason other than death or retirement; and
- (2) the member or former member requests the payment.”.

AMENDMENT NO. 5

On page 4, before line 20, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That an individual who was a member of the Judges’ Retirement System on or before June 30, 2012, is separated from employment for more than 4 years, and returns to employment in a position that requires membership in the Judges’ Retirement System, is subject to the same requirements to which an individual is subject who was a member of the Judges’ Retirement System on or before June 30, 2012.”;

and in line 20, strike “2.” and substitute “3.”.