

HB0077/259338/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 77
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Accrual of Interest” and substitute “Benefits”; 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 19, after “requirements;” insert “altering a certain definition;”; in line 20, strike “accrual of interest” and substitute “benefits”; in line 24, after “Section” insert “27-101”; and in the same line, after “27-204,” insert “27-401, 27-402(c)(2)”.

On page 2, after line 2, 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)”.

AMENDMENT NO. 2

On page 2, after line 10, insert:

“27–101.

(a) In this subtitle the following words have the meanings indicated.

(Over)

(b) “Termination of service” includes:

(1) retirement at the age [of 70 years as] required by Article IV, § 3 of the Maryland Constitution;

(2) voluntary retirement;

(3) resignation because of disability;

(4) retirement by order of the Court of Appeals;

(5) resignation;

(6) nonelection or nonconfirmation when election or confirmation is required;

(7) expiration of term without reappointment; or

(8) abolition of the member’s office.”.

AMENDMENT NO. 3

On page 3, after line 6, 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 THE MANDATORY RETIREMENT AGE REQUIRED BY ARTICLE IV, § 3 OF THE MARYLAND CONSTITUTION 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.”.