

## Chapter 248

**(House Bill 164)**

AN ACT concerning

**Judges' Retirement System – Mandatory Retirement Age – Clarification of Eligibility for Allowance**

FOR the purpose of clarifying the eligibility for a retirement allowance for certain members of the Judges' Retirement System who reach the mandatory retirement age required by Article IV, § 3 of the Maryland Constitution and have less than a certain number of years of service; and generally relating to clarifying the eligibility for a retirement allowance from the Judges' Retirement System.

BY repealing and reenacting, with amendments,  
 Article – State Personnel and Pensions  
 Section 27–401(b)  
 Annotated Code of Maryland  
 (2015 Replacement Volume and 2017 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**

27–401.

(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] **AT THE MANDATORY RETIREMENT AGE REQUIRED BY ARTICLE IV, § 3 OF THE MARYLAND CONSTITUTION** 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

(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.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2018.

**Approved by the Governor, April 24, 2018.**