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Education and Economic Development
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The Maryland House of Delegates
ANNAPOLIS, MARYLAND 21401

Testimony in Support of HB 966

Law Enforcement Officers' Pension System – Reemployment as Sheriff

Testimony of Delegate Cathi Forbes

Appropriations

February 27, 2024

What this bill does

This bill will suspend a retiree's pension allowance for a member of the Law Enforcement Officers' Pension System (LEOPS) as of the date the retiree begins serving as sheriff.

Why this bill is necessary

This bill is necessary to close a loophole that allowed sheriffs from two different counties, who were running for reelection, unopposed, to retire from their job as sheriff during the election cycle and begin collecting their pension. Subsequently those sheriffs won their election, were sworn in as sheriff again and began to collect their salary along with the pension.

This bill is LEOPS specific as LEOPS does not have an earnings limitation for reemployed retirees. Additionally, of the three retirement plans that include elected officials, the other two plans, the Legislative Pension Plan (LPP) and The Employees' Pension System, that includes local elected officials, have safeguards against this abuse. For the LPP plan, retirees that are reelected are reenrolled in the plan. For the Employees' Pension System there are earnings limitations that discourage retirees from returning to work after retirement.

What you should know

Current provisions of the State Personal and Pensions articles require that members of the different systems, including LEOPS, separate from employment with the State or other participating employers to begin receiving pension benefits. Most retirees of the system are prohibited from accepting any employment with the State within 45 days of retirement. As part of the retirement process, members are told very clearly that under no circumstances should the member's decision to retire be conditioned on an offer of reemployment. No offers of reemployment should even be discussed prior to retirement. All retiring members are required to complete and sign a retirement application that the member understands these restrictions and has had no discussions about reemployment with any employer that participates in the State Retirement System.

Why you should vote for this bill

We are closing a loophole with this bill and maintaining the integrity of the Law Enforcement Officers' Pension System.

I ask for a favorable report. Thank you.