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**By: Chairman, Appropriations Committee (Departmental - Teachers & State Emp. Supp. Ret. Bd.)**

Introduced and read first time: January 31, 1996

Assigned to: Appropriations

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Committee Report: Favorable

House action: Adopted

Read second time: March 21, 1996

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CHAPTER \_\_\_\_

1 AN ACT concerning

2 **Supplemental Retirement Plans and the State Retirement Agency - Exchange of**  
3 **Information**

4 FOR the purpose of authorizing the State Retirement Agency and the Board of Trustees  
5 of the Maryland Teachers and State Employees Supplemental Retirement Plans to  
6 exchange certain information in their files concerning members, participants, and  
7 retirees, under certain circumstances.

8 BY repealing and reenacting, with amendments,  
9 Article - State Government  
10 Section 10-616(g)  
11 Annotated Code of Maryland  
12 (1995 Replacement Volume)

13 BY adding to  
14 Article - State Personnel and Pensions  
15 Section 21-505  
16 Annotated Code of Maryland  
17 (1994 Volume and 1995 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
19 MARYLAND, That the Laws of Maryland read as follows:

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1           **Article - State Government**

2 10-616.

3           (g) (1) Subject to paragraphs (2) through (6) of this subsection, a custodian  
4 shall deny inspection of a retirement record for an individual.

5           (2) A custodian shall permit inspection:

6                   (i) by the person in interest;

7                   (ii) by the appointing authority of the individual;

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

11                   (iv) by any law enforcement agency in order to obtain the home  
12 address of a retired employee of the agency when contact with a retired employee is  
13 documented to be necessary for official agency business.

14           (3) A custodian shall permit inspection by the employees of a county unit  
15 that, by county law, is required to audit the retirement records for current or former  
16 employees of the county. However, the information obtained during the inspection is  
17 confidential, and the county unit and its employees may not disclose any information that  
18 would identify a person in interest.

19           (4) On request, a custodian shall state whether the individual receives a  
20 retirement or pension allowance.

21           (5) A custodian shall permit release of information as provided in [§  
22 21-504] §§ 21-504 AND 21-505 of the State Personnel and Pensions Article.

23           (6) On written request, a custodian shall:

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

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

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

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

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

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

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

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

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1           **Article - State Personnel and Pensions**

2 21-505.

3           (A) THE STATE RETIREMENT AGENCY AND THE BOARD OF TRUSTEES OF THE  
4 SUPPLEMENTAL RETIREMENT PLANS MAY EXCHANGE INFORMATION ABOUT  
5 MEMBERS, PARTICIPANTS, AND RETIREES IN THE PLANS UNDER THEIR  
6 ADMINISTRATION.

7           (B) THE STATE RETIREMENT AGENCY AND THE BOARD OF TRUSTEES ARE  
8 SUBJECT TO ALL RESTRICTIONS OF STATE LAW CONCERNING USE AND RELEASE OF  
9 ANY INFORMATION RECEIVED UNDER THIS SECTION.

10           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
11 October 1, 1996.