
By: Delegates Vallario, Palumbo, Conroy, Pitkin, and Proctor

Introduced and read first time: February 1, 1996

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Judges' Retirement System - Employment by Public Institution of Higher Education**

3 FOR the purpose of exempting a retiree of the Judges' Retirement System from
4 provisions of law requiring a retirement allowance to be reduced by certain amounts
5 of compensation or retirement benefits received as a result of subsequent
6 employment by a public institution of higher education.

7 BY repealing and reenacting, with amendments,
8 Article - State Personnel and Pensions
9 Section 27-406
10 Annotated Code of Maryland
11 (1994 Volume and 1995 Supplement)

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

14 **Article - State Personnel and Pensions**

15 27-406.

16 (a) This section does not apply to a retiree who is:

17 (1) temporarily assigned to sit in a court of this State under the authority of
18 Article IV, § 3A of the Maryland Constitution; OR

19 (2) EMPLOYED BY A PUBLIC INSTITUTION OF HIGHER EDUCATION.

20 (b) Subject to subsection (c) of this section, a retiree may accept employment in
21 which all or part of the compensation for the employment comes from municipal, county,
22 or State funds, if the retiree immediately notifies the Board of Trustees of:

23 (1) the retiree's intention to accept the employment; and

24 (2) the compensation that the retiree will receive.

25 (c) (1) The Board of Trustees shall reduce a retiree's retirement allowance by
26 the amount that the sum of the retiree's annual retirement allowance and the retiree's
27 annual compensation exceeds the amount of the compensation on which the retirement
28 allowance is based.

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1 (2) If a retiree accepts employment as allowed by subsection (a) of this
2 section and is subsequently awarded retirement benefits because of that employment, the
3 Board of Trustees shall reduce the retiree's benefits under this subtitle by the amount of
4 the retirement benefits resulting from the subsequent employment.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 July 1, 1996.