
By: **Delegates Bohanan, Wood, and O'Donnell**
Introduced and read first time: March 2, 2000
Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Teachers' Retirement System - Employment of Retirees**

3 FOR the purpose of exempting from a certain offset of a retirement allowance certain
4 retirees of the Teachers' Retirement System who retired from a board of
5 education or local school system on or before a certain date and are reemployed
6 in a part-time position with the University System of Maryland; and providing
7 for the delayed effective date of a portion of this Act.

8 BY repealing and reenacting, with amendments,
9 Article - State Personnel and Pensions
10 Section 22-406(b)
11 Annotated Code of Maryland
12 (1997 Replacement Volume and 1999 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article - State Personnel and Pensions
15 Section 22-406(b)
16 Annotated Code of Maryland
17 (1997 Replacement Volume and 1999 Supplement)
18 (As enacted by Chapter 518 of the Acts of the General Assembly of 1999)

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

21 **Article - State Personnel and Pensions**

22 22-406.

23 (b) (1) This subsection does not apply to:

24 (i) an individual who has been retired for more than 10 years;

25 (ii) an individual whose average final compensation was less than
26 \$10,000 and who is reemployed on a temporary or contractual basis;

1 (iii) an individual who is serving in an elected position as an official
2 of a participating governmental unit or as a constitutional officer for a county that is
3 a participating governmental unit;

4 (iv) a retiree of the Teachers' Retirement System:

5 1. who retired and was reemployed by a participating
6 employer other than the State on or before September 30, 1994; and

7 2. whose employment compensation does not derive, in whole
8 or in part, from State funds; [or]

9 (v) a retiree of the Teachers' Retirement System who:

10 1. is or has been certified to teach in the State;

11 2. has verification of satisfactory or better performance in
12 the last assignment prior to retirement;

13 3. based on the retired teacher's qualifications, has been
14 appointed in accordance with § 4-103 of the Education Article;

15 4. A. retired with a normal service retirement allowance
16 under § 22-401 of this article; or

17 B. retired with an early service retirement allowance under §
18 22-402 of this article and has been retired for at least 12 months;

19 5. subject to item 6 of this item is employed as:

20 A. a substitute classroom teacher or substitute teacher
21 mentor in a public school that has been recommended for reconstitution, or has been
22 reconstituted, by the State Board of Education, until the public school meets the
23 standards for school performance set by the State Board of Education;

24 B. a classroom teacher or teacher mentor in a public school
25 that has been recommended for reconstitution, or has been reconstituted, by the State
26 Board of Education, until the public school meets the standards for school
27 performance set by the State Board of Education;

28 C. a classroom teacher or teacher mentor in a county or
29 subject area on a statewide basis in which the State Board of Education finds that
30 there is a shortage of teachers, until the State Board of Education finds the shortage
31 no longer exists in that county or subject area on a statewide basis; or

32 D. a substitute classroom teacher or substitute teacher
33 mentor in a county or subject area on a statewide basis in which the State Board of
34 Education finds that there is a shortage of teachers, until the State Board of
35 Education finds the shortage no longer exists in that county or subject area on a
36 statewide basis; and

