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

#### A BILL ENTITLED

I AN ACI CONCERNIN	I ACT concerning	AN	1
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## 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;

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	(iii) of a participating governmenta a participating governmental u	l unit or a	idual who is serving in an elected position as an official as a constitutional officer for a county that is
4	(iv)	a retiree	of the Teachers' Retirement System:
5 6	employer other than the State of	1. on or befo	who retired and was reemployed by a participating ore September 30, 1994; and
7 8	or in part, from State funds; [or	2. ·]	whose employment compensation does not derive, in whole
9	(v)	a retiree	of the Teachers' Retirement System who:
10		1.	is or has been certified to teach in the State;
11 12	the last assignment prior to ret	2. irement;	has verification of satisfactory or better performance in
13 14	appointed in accordance with	3. § 4-103 o	based on the retired teacher's qualifications, has been of the Education Article;
15 16	under § 22-401 of this article;	4. or	A. retired with a normal service retirement allowance
17 18	22-402 of this article and has	B. been retir	retired with an early service retirement allowance under § red for at least 12 months;
19		5.	subject to item 6 of this item is employed as:
22	reconstituted, by the State Boa	rd of Ed	a substitute classroom teacher or substitute teacher recommended for reconstitution, or has been ucation, until the public school meets the y the State Board of Education;
26		public scl	a classroom teacher or teacher mentor in a public school itution, or has been reconstituted, by the State nool meets the standards for school Education;
30		until the	a classroom teacher or teacher mentor in a county or such the State Board of Education finds that State Board of Education finds the shortage ct area on a statewide basis; or
34 35	Education finds that there is a	shortage	a substitute classroom teacher or substitute teacher statewide basis in which the State Board of of teachers, until the State Board of exists in that county or subject area on a

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1 2	each year the teacher	is employ	6. receives verification of satisfactory or better performance yed under item 5 of this item; OR
3		(VI)	A RETIREE OF THE TEACHERS' RETIREMENT SYSTEM:
4 5	SCHOOL SYSTEM;	AND	1. WHO RETIRED FROM A BOARD OF EDUCATION OR LOCAL
6 7	THE UNIVERSITY S	SYSTEM	2. WHO IS REEMPLOYED IN A PART-TIME POSITION WITH OF MARYLAND.
8	(2)	The Boa	ard of Trustees shall reduce an individual's allowance:
			by the amount that the sum of the individual's initial annual dual's annual compensation exceeds the average final e the basic allowance; or
14 15	(Chapter 353 of the A compensation and the including the incentive	e retiree's ve provid	for a retiree who retired under the Workforce Reduction Act 196), by the amount that the sum of the retiree's annual annual basic allowance at the time of retirement, ed by the Workforce Reduction Act, exceeds the average mpute the basic allowance.
17 18	SECTION 2. AN read as follows:	D BE IT	FURTHER ENACTED, That the Laws of Maryland
19			Article - State Personnel and Pensions
20	22-406.		
21	(b) (1)	This sub	section does not apply to:
22		(i)	an individual who has been retired for more than 10 years;
23 24	\$10,000 and who is r	(ii) eemploye	an individual whose average final compensation was less than ed on a temporary or contractual basis;
	of a participating govern		an individual who is serving in an elected position as an official al unit or as a constitutional officer for a county that is unit; [or]
28		(iv)	a retiree of the Teachers' Retirement System:
29 30	employer other than t	he State	1. who retired and was reemployed by a participating on or before September 30, 1994; and
31 32	or in part, from State	funds; O	2. whose employment compensation does not derive, in whole R
33		(V)	A RETIREE OF THE TEACHERS' RETIREMENT SYSTEM:

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1 2	1. WHO RETIRED FROM A BOARD OF EDUCATION OR LOCAL SYSTEM; AND
3	2. WHO IS REEMPLOYED IN A PART-TIME POSITION WITH THE UNIVERSITY SYSTEM OF MARYLAND.
5	(2) The Board of Trustees shall reduce an individual's allowance:
	(i) by the amount that the sum of the individual's initial annual basic allowance and the individual's annual compensation exceeds the average final compensation used to compute the basic allowance; or
11 12	(ii) for a retiree who retired under the Workforce Reduction Act (Chapter 353 of the Acts of 1996), by the amount that the sum of the retiree's annual compensation and the retiree's annual basic allowance at the time of retirement, including the incentive provided by the Workforce Reduction Act, exceeds the average final compensation used to compute the basic allowance.
14 15	SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect July 1, 2004.
16 17	SECTION 4. AND BE IT FURTHER ENACTED, That, except as provided in Section 3 of this Act, this Act shall take effect July 1, 2000.