

HOUSE BILL 1357

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HB 908/00 - APP

2001 Regular Session
1lr2831

By: **Delegates Montague, Dobson, and Doory**
Introduced and read first time: February 20, 2001
Assigned to: Rules and Executive Nominations
Re-referred to: Appropriations, March 5, 2001

Committee Report: Favorable
House action: Adopted
Read second time: March 20, 2001

CHAPTER_____

1 AN ACT concerning

2 **Baltimore City - Orphans' Court Judges - Pensions**

3 FOR the purpose of altering the calculation of the pensions for the associate judges
4 and the Chief Judge of the Orphans' Court for Baltimore City; altering the
5 maximum pensions that may be paid; providing for the construction of this Act;
6 and generally relating to pensions for the associate judges and the Chief Judge
7 of the Orphans' Court for Baltimore City.

8 BY repealing and reenacting, with amendments,
9 Article - Estates and Trusts
10 Section 2-108(d)
11 Annotated Code of Maryland
12 (1991 Replacement Volume and 2000 Supplement)

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

15 **Article - Estates and Trusts**

16 2-108.

17 (d) (1) (i) Each associate judge of the Court of Baltimore City shall receive
18 an annual compensation of \$50,000, and the Chief Judge shall receive an annual
19 compensation of \$60,000.

20 (ii) Each associate judge who was in active service on or after
21 January 1, 1981 shall be paid after the termination of active service, if he is then at

1 least 60 years of age or when he shall attain 60 years of age, a pension or salary
2 calculated at the rate of \$1,500 annually for each year, or a part of a year, of active
3 service ON OR BEFORE DECEMBER 31, 1984 AND \$2,500 ANNUALLY FOR EACH YEAR, OR
4 PART OF A YEAR, OF ACTIVE SERVICE ON OR AFTER JANUARY 1, 1984; but the
5 maximum pension or salary for the service by an associate judge may not exceed
6 [\$15,000] \$25,000 annually.

7 (III) Each Chief Judge who was in active service on or after January
8 1, 1981, shall be paid, after the termination of active service, if he is then at least 60
9 years of age or when he shall attain 60 years of age, a pension or salary calculated at
10 the rate of \$1,525 annually for each year, or a part of a year of active service[,] ON OR
11 BEFORE DECEMBER 31, 1984 AND \$3,000 ANNUALLY FOR EACH YEAR, OR PART OF A
12 YEAR, OF ACTIVE SERVICE ON OR AFTER JANUARY 1, 1984; but the maximum pension
13 or salary for the service by a Chief Judge may not exceed [\$15,250] \$30,000 annually.
14 The pension or salary shall be paid by the City of Baltimore in the same manner as
15 the salaries of the judges of the Court for the City are paid.

16 (2) The surviving spouse of every elected judge of the Court of Baltimore
17 City shall be paid one half of the pension to which his spouse was entitled at the time
18 of his death, or would have become entitled to by reason of attaining 60 years of age.
19 In each instance, the pension shall be paid to the spouse until remarriage or death.
20 The provisions of this subsection shall not apply in the case of a spouse who was
21 married to a sitting judge for a period of less than three years prior to his death, and
22 to a retired judge for a period less than three years before his retirement.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
24 construed only prospectively and may not be applied or interpreted to have any effect
25 on or application to any pension payable to an associate judge or the Chief Judge of
26 the Orphans' Court of Baltimore City before the effective date of this Act.

27 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 July 1, 2001.