

HOUSE BILL 259

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2002 Regular Session  
2r1612  
CF 2r1058

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By: **The Speaker (Governor's Salary Commission)**

Introduced and read first time: January 22, 2002

Assigned to: Appropriations

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A BILL ENTITLED

1 AN ACT concerning

2 **Retirement and Pensions - Service Retirement Benefits - Governor**

3 FOR the purpose of altering the calculation that is used to determine a service  
4 retirement allowance for certain Governors; making this Act contingent on the  
5 failure of another Act; and generally relating to service retirement benefits for  
6 certain Governors.

7 BY repealing and reenacting, with amendments,  
8 Article - State Personnel and Pensions  
9 Section 22-405(b)  
10 Annotated Code of Maryland  
11 (1997 Replacement Volume and 2001 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 22-405.

16 (b) (1) This subsection applies to an individual who has served as Governor  
17 on or after January 17, 1979.

18 (2) Subject to paragraph (5) of this subsection, if a Governor described in  
19 paragraph (1) of this subsection serves for at least:

20 (i) one full term, the Governor is entitled to receive a retirement  
21 allowance equal to one-third of the annual salary received during THE FINAL YEAR  
22 OF the Governor's last term of office; or

23 (ii) two full terms, the Governor is entitled to receive a retirement  
24 allowance equal to one-half of the annual salary received during THE FINAL YEAR OF  
25 the Governor's last term of office.

1           (3)     The Board of Trustees shall suspend a retirement allowance received  
2 under this section during any period when the former Governor is employed by a unit  
3 of State government.

4           (4)     Except as provided in paragraph (5) of this subsection, a Governor  
5 may not receive a retirement allowance under this subsection until the Governor is at  
6 least 55 years old.

7           (5)     (i)     A Governor who leaves office because of physical or mental  
8 disability, under Article II, Section 6(c) of the Maryland Constitution, shall  
9 immediately receive a disability retirement allowance equal to the amount the  
10 Governor would have received had the Governor completed the current term and  
11 become 55 years old.

12           (ii)    If the physical or mental disability ends before the former  
13 Governor becomes 55 years old, the Board of Trustees shall stop the disability  
14 retirement allowance, but the former Governor shall receive the normal retirement  
15 allowance at age 55 if otherwise qualified.

16           (6)     On the death of a former Governor who has retired under this  
17 subsection, the surviving spouse of the former Governor shall receive an allowance  
18 that is equal to one-half of the former Governor's retirement allowance.

19           (7)     On the death of a Governor while in office, the deceased Governor's  
20 surviving spouse shall receive one-half of the retirement allowance that the deceased  
21 Governor would have been entitled to receive had the deceased Governor completed  
22 the current term and become 55 years old.

23           (8)     Each fiscal year, the Board of Trustees shall adjust the retirement  
24 allowance received by a former Governor or the surviving spouse of a former or  
25 deceased Governor under this subsection as provided by Title 29, Subtitle 4, Part II of  
26 this article.

27     SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
28 July 1, 2002, contingent on the failure of Chapter \_\_\_ (S.B.\_\_\_/H.B.\_\_\_)(2lr1056) of  
29 the Acts of the General Assembly of 2002, and if Chapter \_\_\_ does become effective,  
30 this Act shall be null and void without the necessity of further action by the General  
31 Assembly.

32     SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
33 July 1, 2002.