Unofficial Copy K4 2002 Regular Session 2lr1035

By: Delegate Proctor (Chairman, Joint Committee on Pensions)

Introduced and read first time: January 28, 2002

Assigned to: Appropriations

## A BILL ENTITLED

1 AN ACT co	ncerning
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- 2 Retirement and Pensions Disability Retirees Temporary Suspension of Allowance
- 4 FOR the purpose of repealing certain requirements that disability retirees of the
- 5 State Retirement and Pension Systems must meet; repealing certain
- 6 restrictions on reemployment of disability retirees; providing for a temporary
- 7 suspension of benefits paid to disability retirees under certain circumstances;
- 8 providing for the resumption of disability benefits with certain adjustments to
- 9 the benefits after receipt by the Board of Trustees for the State Retirement and
- Pension System of certain documentation; and generally relating to disability
- retirees of the State retirement and pension systems.
- 12 BY repealing and reenacting, with amendments,
- 13 Article State Personnel and Pensions
- 14 Section 29-115 and 29-116
- 15 Annotated Code of Maryland
- 16 (1997 Replacement Volume and 2001 Supplement)
- 17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 18 MARYLAND, That the Laws of Maryland read as follows:
- 19 Article State Personnel and Pensions

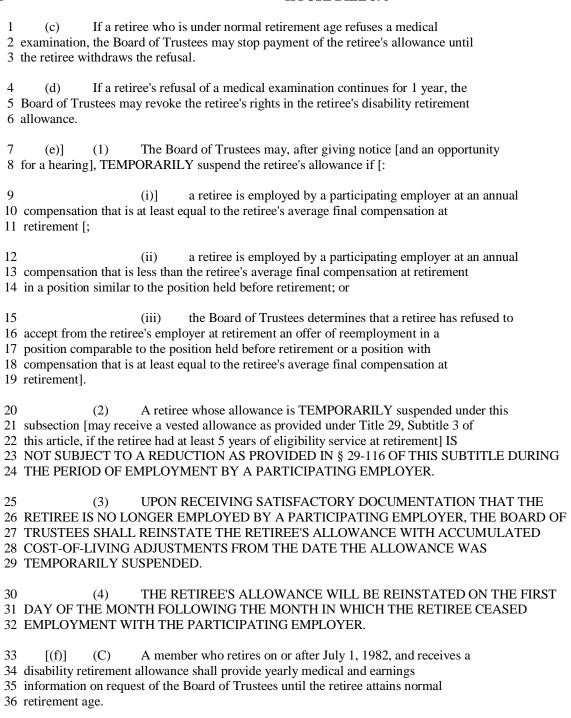
20 29-115.

- 21 (a) [If a disability retiree is under normal retirement age, the Board of
- 22 Trustees may require the disability retiree to undergo a yearly medical examination]
- 23 THIS SECTION APPLIES ONLY TO A DISABILITY RETIREE WHO IS NOT ELIGIBLE TO
- 24 RECEIVE A NORMAL SERVICE RETIREMENT.
- 25 (b) [The retiree shall be examined by a physician chosen by the Board of
- 26 Trustees at a place agreed on by the retiree and the physician conducting the
- 27 examination.

37

[(g)]

(D)



If the retiree refuses to provide the information, the Board of

38 Trustees shall suspend the retiree's allowance until the information is provided.

1	29-116.				
2	(a) disability if:	The Board of Trustees shall reduce the pension of a retiree on ordinary			
4		(1)	the retire	ee is under normal retirement age;	
	the retiree is between:	(2) the medical board certifies in a report to the Board of Trustees that engaged in a gainful occupation paying more than the difference			
8			(i)	the retiree's retirement allowance at retirement; and	
9			(ii)	the retiree's average final compensation plus \$5,000; [and]	
10		(3)	the Boar	rd of Trustees agrees with the medical board's report; AND	
11 12	SUSPENDE	(4) ED AS PI		CTIREE'S ALLOWANCE HAS NOT BEEN TEMPORARILY D IN § 29-115 OF THIS SUBTITLE.	
13 14	(b) The Board of Trustees shall reduce the pension of a retiree who has been receiving an ordinary disability retirement allowance for:				
15 16		(1) on exceed		10 years, by \$1 for every \$2 that the retiree's current it under subsection (a) of this section; or	
17 18	compensation	(2) on exceed		10 years, by \$1 for every \$5 that the retiree's current it under subsection (a) of this section.	
19 20	(c) The pension to be reduced under this section is the pension at retirement without any cost-of-living adjustment				

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 22 July 1, 2002.