

HOUSE BILL 1255

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K4
HB 805/01 - APP

2002 Regular Session
2lr2680

By: **Delegates Getty and Elliott**

Introduced and read first time: February 13, 2002

Assigned to: Rules and Executive Nominations

Re-referred to: Appropriations, February 18, 2002

Committee Report: Favorable

House action: Adopted

Read second time: March 22, 2002

CHAPTER_____

1 AN ACT concerning

2 **State Retirement and Pension System - Estimate of Pension Benefits**

3 FOR the purpose of providing the Board of Trustees of the State Retirement and
4 Pension System with certain powers if the actual retirement benefit received by
5 a retiree is a certain percent lower than a certain estimate of benefits and the
6 retiree acted in reliance upon the estimate; providing for the application of this
7 Act; and generally relating to estimates of retirement benefits to retirees of the
8 State retirement and pension systems.

9 BY repealing and reenacting, with amendments,
10 Article - State Personnel and Pensions
11 Section 21-503
12 Annotated Code of Maryland
13 (1997 Replacement Volume and 2001 Supplement)

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

16 **Article - State Personnel and Pensions**

17 21-503.

18 (A) The Board of Trustees shall offer counseling about retirement benefits:

19 (1) to the members, former members, and retirees of each State system;

20 and

1 (2) if a member, former member, or retiree consents, to an immediate
2 family member.

3 (B) (1) THIS SUBSECTION APPLIES IF THE BOARD OF TRUSTEES OR THE
4 STATE RETIREMENT AGENCY PROVIDES AN ESTIMATE OF RETIREMENT BENEFITS AS
5 A PART OF ITS COUNSELING WITHIN A YEAR BEFORE RETIREMENT, AND THE ACTUAL
6 BENEFIT IS LOWER THAN THE ESTIMATE BY MORE THAN 1%.

7 (2) IF THE BOARD OF TRUSTEES FINDS THAT A RETIREE ACTED TO THE
8 RETIREE'S DETRIMENT WITH RESPECT TO AN ESTIMATE OF RETIREMENT BENEFITS
9 DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION, THE BOARD OF TRUSTEES MAY:

10 (I) INCREASE THE RETIREE'S ALLOWANCE TO AN AMOUNT NOT
11 MORE THAN THE ESTIMATE AND AGREED TO BY THE BOARD OF TRUSTEES AND THE
12 RETIREE; OR

13 (II) REFUND ANY REASONABLE COSTS INCURRED BY THE RETIREE,
14 AS DETERMINED BY THE BOARD OF TRUSTEES, THAT RESULTED FROM THE
15 RETIREE'S RELIANCE UPON THE ESTIMATE INCLUDING REASONABLE ATTORNEY'S
16 FEES, COURT COSTS, AND OTHER EXPENSES.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
18 construed retroactively and shall be applied to and interpreted to affect retirees of the
19 State retirement and pension systems who retired on or after January 1, 1999.

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