HOUSE BILL 1151

Unofficial Copy K4 HB 1443/02 - APP

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(II)

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26 POSITION OTHER THAN A PROBATIONARY STATUS LAW ENFORCEMENT OFFICER, A

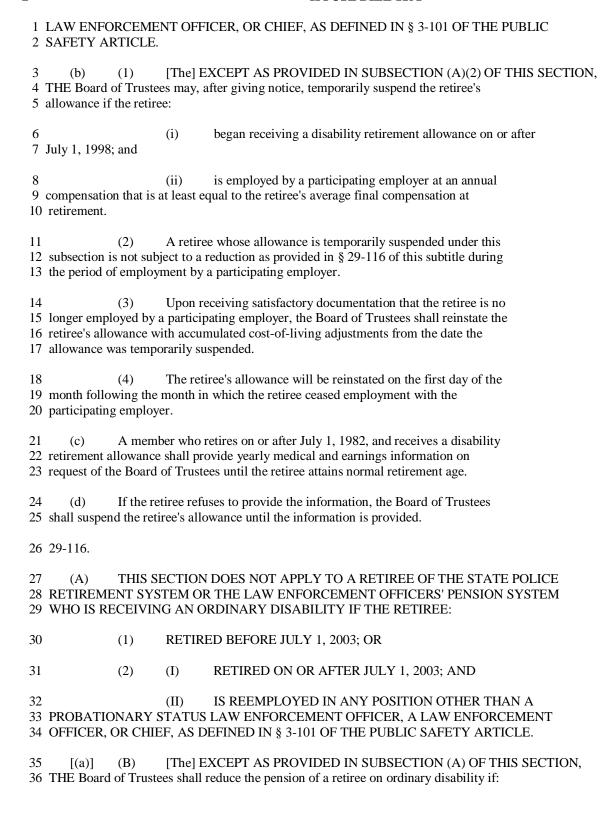
2003 Regular Session 3lr2461

By: **Delegate James** Introduced and read first time: March 3, 2003 Assigned to: Rules and Executive Nominations A BILL ENTITLED 1 AN ACT concerning 2 State Police Retirement System and Law Enforcement Officers' Pension 3 **System - Disability Retirement** 4 FOR the purpose of exempting from certain earnings limitations and certain 5 reemployment restrictions certain retirees of the State Police Retirement 6 System and Law Enforcement Officers' Pension System; and generally relating to retirees of the State Police Retirement System and Law Enforcement Officers' 7 8 Pension System receiving disability retirement allowances. 9 BY repealing and reenacting, with amendments, Article - State Personnel and Pensions 10 Section 29-115 and 29-116 11 Annotated Code of Maryland 12 (1997 Replacement Volume and 2002 Supplement) 13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF 14 15 MARYLAND, That the Laws of Maryland read as follows: 16 **Article - State Personnel and Pensions** 17 29-115. This section applies only to a disability retiree who is not eligible to 18 (a) (1) 19 receive a normal service retirement. THIS SECTION DOES NOT APPLY TO A DISABILITY RETIREE OF THE 20 21 STATE POLICE RETIREMENT SYSTEM OR THE LAW ENFORCEMENT OFFICERS' 22 PENSION SYSTEM IF THE RETIREE: RETIRED BEFORE JULY 1, 2003; OR 23 (I)

RETIRED ON OR AFTER JULY 1, 2003; AND

IS REEMPLOYED BY A PARTICIPATING EMPLOYER IN ANY

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| 1 | (1) the retiree is under normal retirement age; |
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| | (2) the medical board certifies in a report to the Board of Trustees that the retiree is engaged in a gainful occupation paying more than the difference between: |
| 5 | (i) the retiree's retirement allowance at retirement; and |
| 6 | (ii) the retiree's average final compensation plus \$5,000; |
| 7 | (3) the Board of Trustees agrees with the medical board's report; and |
| 8 9 | (4) the retiree's allowance has not been temporarily suspended as provided in § 29-115 of this subtitle. |
| 10 11 | [(b)] (C) The Board of Trustees shall reduce the pension of a retiree who has been receiving an ordinary disability retirement allowance for: |
| 12 13 | (1) less than 10 years, by \$1 for every \$2 that the retiree's current compensation exceeds the limit under subsection (a) of this section; or |
| 14 15 | (2) at least 10 years, by \$1 for every \$5 that the retiree's current compensation exceeds the limit under subsection (a) of this section. |
| 16 17 | [(c)] (D) The pension to be reduced under this section is the pension at retirement without any cost-of-living adjustment. |
| 18 19 | SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2003. |