HOUSE BILL 87

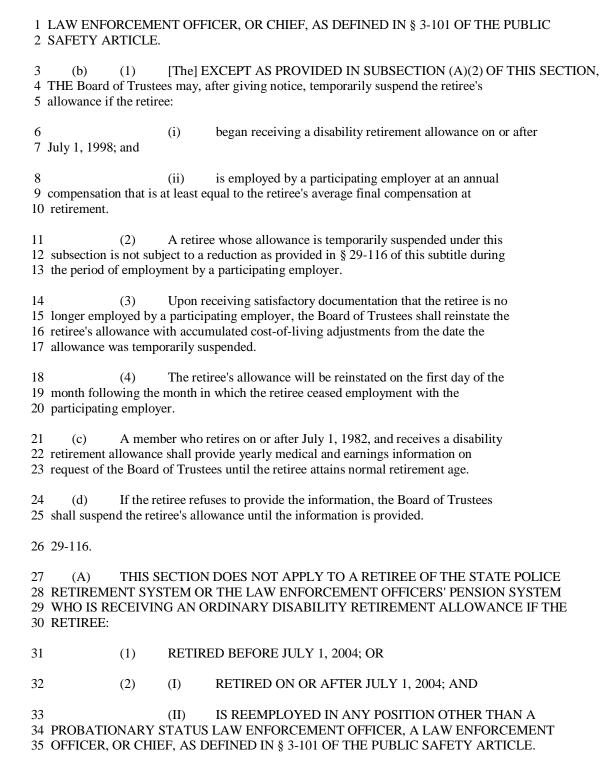
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(PRE-FILED)

By: **Delegates Leopold and James**Requested: September 24, 2003
Introduced and read first time: January 14, 2004

Assigned to: Appropriations

	A BILL ENTITLED				
1	AN ACT concerning				
2	State Police Retirement System and Law Enforcement Officers' Pension System - Disability Retirement				
4 5 6 7 8	FOR the purpose of exempting from certain earnings limitations and certain reemployment restrictions certain retirees of the State Police Retirement System and Law Enforcement Officers' Pension System; and generally relating to retirees of the State Police Retirement System and Law Enforcement Officers' Pension System receiving disability retirement allowances.				
9 10 11 12 13	Section 29-115 and 29-116 Annotated Code of Maryland				
14 15	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:				
16	Article - State Personnel and Pensions				
17	29-115.				
18 19	(a) (1) This section applies only to a disability retiree who is not eligible to receive a normal service retirement.				
	(2) THIS SECTION DOES NOT APPLY TO A DISABILITY RETIREE OF THE STATE POLICE RETIREMENT SYSTEM OR THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM IF THE RETIREE:				
23	(I) RETIRED BEFORE JULY 1, 2004; OR				
24	(II) 1. RETIRED ON OR AFTER JULY 1, 2004; AND				
25 26	2. IS REEMPLOYED BY A PARTICIPATING EMPLOYER IN ANY POSITION OTHER THAN A PROBATIONARY STATUS LAW ENFORCEMENT OFFICER. A				



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1 2	[(a)] (B) [The] EXCEPT AS PROVIDED IN SUBSECTION (A) OF THIS SECTION, THE Board of Trustees shall reduce the pension of a retiree on ordinary disability if:			
3	(1)	the retiree is under normal retirement age;		
	(2) the retiree is engaged between:	the medical board certifies in a report to the Board of Trustees that in a gainful occupation paying more than the difference		
7		(i)	the retiree's retirement allowance at retirement; and	
8		(ii)	the retiree's average final compensation plus \$5,000;	
9	(3)	the Boar	rd of Trustees agrees with the medical board's report; and	
10 11	(4) provided in § 29-115	the retiree's allowance has not been temporarily suspended as of this subtitle.		
12 13	2 [(b)] (C) The Board of Trustees shall reduce the pension of a retiree who has 3 been receiving an ordinary disability retirement allowance for:			
14 15	4 (1) less than 10 years, by \$1 for every \$2 that the retiree's current 5 compensation exceeds the limit under subsection (a) of this section; or			
16 17	at least 10 years, by \$1 for every \$5 that the retiree's current compensation exceeds the limit under subsection (a) of this section.			
18 19	[(c)] (D) retirement without an		sion to be reduced under this section is the pension at f-living adjustment.	
20 21	SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2004.			