
By: **Delegate McKee**

Introduced and read first time: February 10, 2005

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Employees' Pension System - Retirement Allowance Elections**

3 FOR the purpose of providing that certain retirees of the Employees' Pension System
4 who are receiving a certain ordinary disability retirement allowance may elect
5 to cease receiving that ordinary disability retirement allowance and begin
6 receiving a certain service retirement allowance; requiring a retiree who makes
7 that election to file certain forms with the Board of Trustees of the State
8 Retirement and Pension System by a certain date; providing for the termination
9 of this Act; and generally relating to elections made by retirees of the Employees'
10 Pension System to receive retirement allowances.

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
12 MARYLAND, That:

13 (a) This section applies to a retiree who:

14 (1) on or before January 1, 2002, was a member of the Employees'
15 Pension System while employed by the Washington County Board of Education;

16 (2) as a member of the Employees' Pension System, applied for an
17 accidental disability retirement on or before June 1, 2002;

18 (3) was denied an accidental disability retirement but was awarded an
19 ordinary disability retirement allowance and began receiving an ordinary disability
20 retirement allowance from the Employees' Pension System on or before November 1,
21 2002; and

22 (4) elected to receive an ordinary disability retirement allowance without
23 modification under § 21-401 of the State Personnel and Pensions Article.

24 (b) (1) A retiree described in subsection (a) of this section may elect to cease
25 receiving an ordinary disability retirement allowance and instead receive a service
26 retirement allowance from the Employees' Pension System.

27 (2) (i) A retiree who elects to receive a service retirement allowance as
28 provided in paragraph (1) of this subsection shall receive a service retirement

1 allowance without modification under § 21-401 of the State Personnel and Pensions
2 Article.

3 (ii) The retiree's service retirement allowance shall equal the
4 ordinary disability retirement allowance the retiree was receiving prior to making an
5 election to receive a service retirement allowance.

6 (c) To make an election to cease receiving an ordinary disability retirement
7 allowance and instead receive a service retirement allowance from the Employees'
8 Pension System, a retiree shall complete the necessary forms provided by the Board of
9 Trustees for the State Retirement and Pension System and file it with the Board of
10 Trustees on or before December 31, 2005.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 July 1, 2005. It shall remain effective for a period of 6 months and at the end of
13 December 31, 2005, with no further action required by the General Assembly, this Act
14 shall be abrogated and of no further force and effect.