
By: **Delegate Kelly**

Introduced and read first time: February 15, 2005

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Reemployment of Retirees - State Workers' Compensation Commission**

3 FOR the purpose of allowing certain retirees of the Employees' Pension System who
4 are appointed as members of the State Workers' Compensation Commission to
5 receive service credit in the Judges' Retirement System while receiving a service
6 retirement allowance from the Employees' Pension System; providing that
7 certain members of the Judges' Retirement System may purchase certain
8 service credit in the Judges' Retirement System under certain circumstances;
9 and generally relating to the reemployment of retirees as members of the State
10 Workers' Compensation Commission.

11 BY repealing and reenacting, with amendments,

12 Article - State Personnel and Pensions

13 Section 23-407(c) and 27-304

14 Annotated Code of Maryland

15 (2004 Replacement Volume)

16 BY adding to

17 Article - State Personnel and Pensions

18 Section 23-408

19 Annotated Code of Maryland

20 (2004 Replacement Volume)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

22 MARYLAND, That the Laws of Maryland read as follows:

23 **Article - State Personnel and Pensions**

24 23-407.

25 (c) [An] EXCEPT AS PROVIDED IN § 23-408 OF THIS SUBTITLE, AN individual
26 who is receiving a service retirement allowance or a vested allowance and who is
27 reemployed by a participating employer may not receive creditable service or
28 eligibility service during the period of reemployment.

1 23-408.

2 (A) THIS SECTION APPLIES TO A RETIREE WHO:

3 (1) IS RECEIVING A SERVICE RETIREMENT ALLOWANCE FROM THE
4 EMPLOYEES' PENSION SYSTEM ON JULY 1, 2005; AND

5 (2) WAS APPOINTED AS A MEMBER OF THE STATE WORKERS'
6 COMPENSATION COMMISSION ON OR AFTER JANUARY 1, 2004.

7 (B) AN INDIVIDUAL DESCRIBED IN SUBSECTION (A) OF THIS SECTION, WHILE
8 SERVING AS A MEMBER OF THE STATE WORKERS' COMPENSATION COMMISSION,
9 MAY:

10 (1) CONTINUE TO RECEIVE A SERVICE RETIREMENT ALLOWANCE FROM
11 THE EMPLOYEES' PENSION SYSTEM;

12 (2) RECEIVE SERVICE CREDIT IN THE JUDGES' RETIREMENT SYSTEM;
13 AND

14 (3) PURCHASE SERVICE CREDIT IN THE JUDGES' RETIREMENT SYSTEM
15 AS PROVIDED IN § 27-304 OF THIS ARTICLE FOR THE PERIOD OF TIME THAT THE
16 INDIVIDUAL SERVED AS A MEMBER OF THE STATE WORKERS' COMPENSATION
17 COMMISSION ON OR AFTER JANUARY 1, 2004 AND BEFORE JULY 1, 2005.

18 27-304.

19 (a) A member may purchase service credit as provided in subsection (b) of this
20 section for periods of service described in subsection (c) of this section for which the
21 member is not otherwise entitled to service credit.

22 (b) (1) To purchase service credit under this section, a member must:

23 (i) complete a claim for the service credit and file it with the Board
24 of Trustees on the form that the Board of Trustees provides; and

25 (ii) pay to the Board of Trustees in a single payment 6% of the
26 amount received in compensation for that full-time service plus regular interest to
27 the date of payment.

28 (2) A member may pay for service credit purchased under this section at
29 any time before retirement.

30 (c) A member may purchase service credit for prior service as:

31 (1) a full-time master in chancery or master in juvenile causes on or
32 before June 30, 1975; [or]

33 (2) a member of the State Workers' Compensation Commission on or
34 before June 30, 1977; OR

1 (3) A MEMBER OF THE STATE WORKERS' COMPENSATION COMMISSION
2 ON OR AFTER JANUARY 1, 2004 AND BEFORE JULY 1, 2005, IF THE MEMBER WAS
3 RECEIVING A SERVICE RETIREMENT ALLOWANCE FROM THE EMPLOYEES' PENSION
4 SYSTEM DURING THAT TIME.

5 (d) Service credit that is purchased under this section may not be used as
6 service credit in another retirement or pension system of the State or a political
7 subdivision of the State.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 July 1, 2005.