
By: **Senator Kasemeyer (Chairman, Joint Committee on Pensions)**

Introduced and read first time: February 2, 2005

Assigned to: Budget and Taxation

Committee Report: Favorable

Senate action: Adopted

Read second time: March 20, 2005

CHAPTER _____

1 AN ACT concerning

2 **State Police Retirement System - Retirees - Additional Retirement**
3 **Allowance**

4 FOR the purpose of exempting certain members of the State Police Retirement
5 System from a prohibition that members of the State Police Retirement System
6 cannot accept a retirement or pension allowance from another pension or
7 retirement system supported wholly or in part by the State; providing that
8 certain retirees of the State Police Retirement System may only receive an
9 additional retirement allowance from the Legislative Pension Plan under
10 certain circumstances; providing for the application of this Act; and generally
11 relating to an additional retirement allowance for members of the State Police
12 Retirement System.

13 BY repealing and reenacting, with amendments,
14 Article - State Personnel and Pensions
15 Section 24-406
16 Annotated Code of Maryland
17 (2004 Replacement Volume)

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

20 **Article - State Personnel and Pensions**

21 24-406.

22 (a) A member may be entitled to benefits under Title 29 of this article other
23 than, or in addition to, the service retirement benefits provided under this subtitle.

1 (b) (1) This subsection does not apply to an individual [who is:
2 (i)] receiving a service retirement allowance or a vested allowance
3 from the State Police Retirement System[; and] WHO IS:
4 [(ii)] (I) serving as a sheriff or State's Attorney for a county that is
5 a participating governmental unit; OR
6 (II) ELECTED OR APPOINTED TO THE GENERAL ASSEMBLY AND
7 ELIGIBLE TO ENROLL IN THE LEGISLATIVE PENSION PLAN.

8 (2) A member is not entitled to receive a pension or retirement allowance
9 from another pension or retirement system supported wholly or in part by the State.

10 (C) AN INDIVIDUAL RECEIVING A SERVICE RETIREMENT ALLOWANCE OR A
11 VESTED ALLOWANCE FROM THE STATE POLICE RETIREMENT SYSTEM WHO IS
12 ELECTED OR APPOINTED TO THE GENERAL ASSEMBLY AND ELIGIBLE TO JOIN THE
13 LEGISLATIVE PENSION PLAN, MAY ONLY RECEIVE AN ADDITIONAL RETIREMENT
14 ALLOWANCE FROM THE LEGISLATIVE PENSION PLAN.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
16 construed to apply retroactively and shall be applied to and interpreted to affect any
17 individual who began receiving a service retirement allowance or vested allowance
18 from the State Police Retirement System and became a member of the Legislative
19 Pension Plan on or after January 1, 1995.

20 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take
21 effect July 1, 2005.