
By: **Delegate Kelly**

Rules suspended

Introduced and read first time: March 19, 2006

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **State Retirement and Pension System - Benefits - State Workers'**
3 **Compensation Commission**

4 FOR the purpose of providing that certain individuals may repay certain benefits
5 under certain circumstances to the Board of Trustees of the State Retirement
6 and Pension System; requiring the Board of Trustees of the State Retirement
7 and Pension System to suspend the retirement allowance of certain individuals
8 if certain benefits are repaid; providing that certain individuals may receive a
9 normal service retirement benefit from the Judges' Retirement System under
10 certain circumstances; requiring that certain individuals receive service credit
11 in the Judges' Retirement System if certain contributions are repaid plus
12 regular interest to the Board of Trustees of the State Retirement and Pension
13 System; requiring the Board of Trustees of the State Retirement and Pension
14 System to reinstate the retirement allowance with certain cost-of-living
15 adjustments of certain individuals under certain circumstances; requiring the
16 Board of Trustees of the State Retirement and Pension System to reduce the
17 retirement allowance of certain individuals under certain circumstances; and
18 generally relating to individuals receiving a retirement allowance from both the
19 Employees' Pension System and the Judges' Retirement System.

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
21 MARYLAND, That:

22 (a) This section applies to an individual who:

23 (1) retired from the Employees' Pension System on or after January 1,
24 1996, under § 23-404 of the State Personnel and Pensions Article;

25 (2) is receiving a service retirement allowance from the Employees'
26 Pension System on June 30, 2006; and

27 (3) was appointed as a member of the State Workers' Compensation
28 Commission on or after January 1, 2004.

1 (b) If an individual described under subsection (a) of this section, pays to the
2 Board of Trustees in a single payment, the total amount of retirement benefits the
3 individual has received from the Employees' Pension System as of June 30, 2006:

4 (1) the Board of Trustees shall temporarily suspend the individual's
5 retirement allowance from the Employees' Pension System on July 1, 2006; and

6 (2) the individual is entitled to receive a normal service retirement
7 allowance under § 27-402 of the State Personnel and Pensions Article upon ceasing
8 employment with the State Workers' Compensation Commission.

9 (c) (1) To receive a normal service retirement allowance under subsection
10 (b)(2) of this section, an individual shall pay to the Board of Trustees in a single
11 payment the member contributions plus regular interest to the Judges' Retirement
12 System that the individual would have made for the period of employment with the
13 State Workers' Compensation Commission beginning April 26, 2004, and ending June
14 30, 2006.

15 (2) If an individual described under subsection (a) of this section repays
16 member contributions to the Board of Trustees under paragraph (1) of this subsection,
17 the individual shall receive service credit for the period of employment with the State
18 Workers' Compensation Commission beginning April 26, 2004, and ending June 30,
19 2006.

20 (d) (1) Upon receiving satisfactory documentation that the individual is no
21 longer employed by the State Workers' Compensation Commission, the Board of
22 Trustees shall reinstate the individual's allowance from the Employees' Pension
23 System with accumulated cost-of-living adjustments from the date the allowance
24 was temporarily suspended.

25 (2) The individual's allowance from the Employees' Pension System will
26 be reinstated on the first day of the month following the month in which the retiree
27 ceased employment with the State Workers' Compensation Commission.

28 (e) If the individual waives the payment of any contributions or interest under
29 paragraph (c)(1) of this subsection, the Board of Trustees shall reduce the individual's
30 retirement allowance from the Judges' Retirement System by the actuarial equivalent
31 of those contributions, plus interest to the date of retirement, that the individual has
32 not paid.

33 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
34 July 1, 2006.