K4 6lr2245 HB 961/05 - APP CF 6lr1853

By: Senators DeGrange, Astle, Brinkley, Della, Dyson, Exum, Garagiola, Giannetti, Green, Greenip, Grosfeld, Hogan, Jacobs, Jimeno, Klausmeier, McFadden, Middleton, Ruben, Stoltzfus, and Stone

Introduced and read first time: February 3, 2006

Assigned to: Budget and Taxation

A BILL ENTITLED

1	AN ACT	concerning	

2 Military Service Credit - Eligibility

- 3 FOR the purpose of repealing certain limitations and certain exceptions for members
- 4 of the State Retirement and Pension System receiving credit for certain military
- service credit; and generally relating to members of the State Retirement and
- 6 Pension System receiving military service credit.
- 7 BY repealing and reenacting, with amendments,
- 8 Article State Personnel and Pensions
- 9 Section 38-104
- 10 Annotated Code of Maryland
- 11 (2004 Replacement Volume and 2005 Supplement)
- 12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 13 MARYLAND, That the Laws of Maryland read as follows:

14 Article - State Personnel and Pensions

- 15 38-104.
- 16 (a) [Except as provided in subsection (b) of this section, a] A member of a
- 17 State system, who has not met the conditions set forth in § 38-103(a)(2) through (4) of
- 18 this subtitle, is entitled to receive service credit for military service only on the
- 19 attainment of 10 years of creditable service.
- 20 (b) (1) A member of a State system may [not] receive credit for that military
- 21 service if the member receives credit for military service from another retirement
- 22 system for which retirement benefits have been or will be received by the member.
- 23 (2) [Paragraph (1) of this subsection does not apply to:
- 24 (i) credit for military service provided under:
- 25 1. the Social Security Act;

1 2. the National Railroad Retirement Act; or 2 3. Title 3 or Title 10, Chapter 1223, §§ 12731 through 12737 3 of the United States Code; or 4 (ii) disability payments from a pension or retirement system. 5 (3)] (i) Military service credit under this section may not exceed 5 6 years. 7 Subject to subparagraph (i) of this paragraph, a member of the (ii) 8 Maryland National Guard who has not been activated under Title 10 of the United 9 States Code, shall receive service credit at the rate of 4 months for each full year of 10 service with the Maryland National Guard, not to exceed a total of 36 months.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect

UNOFFICIAL COPY OF SENATE BILL 727

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12 July 1, 2006.