

SB0243/679630/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 243
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Employees” and substitute “State Retirement and”; in line 3, after “providing” insert “that certain members of the State Retirement and Pension System may request the Executive Director of the State Retirement Agency to take a certain action with regard to certain claims; authorizing the Executive Director of the State Retirement Agency to accept or deny certain requests by certain members; requiring the Board of Trustees of the State Retirement and Pension System to review certain claims that have been denied by the Executive Director of the State Retirement Agency; authorizing the Board of Trustees to overturn certain denials made by the Executive Director of the State Retirement Agency; requiring the Board of Trustees to submit certain reports to the Joint Committee on Pensions on or before a certain date; requiring the Board of Trustees to adopt certain regulations; providing”; in line 9, after “of” insert “certain provisions of”; in line 11, strike “Employees’ Pension System” and substitute “State Retirement and Pension System”; and after line 11, insert:

“BY adding to

Article – State Personnel and Pensions

Section 37–203.2

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)”.

AMENDMENT NO. 2

On page 1, in line 13, after “That” insert “the Laws of Maryland read as follows”; after line 13, insert:

“Article – State Personnel and Pensions

(Over)

37-203.2.

(A) THIS SUBSECTION APPLIES TO AN INDIVIDUAL WHO:

(1) HAS ACCRUED SERVICE CREDIT IN A STATE OR LOCAL RETIREMENT OR PENSION SYSTEM;

(2) HAS ACCEPTED NEW EMPLOYMENT IN A POSITION REQUIRING MEMBERSHIP IN ONE OF THE SEVERAL SYSTEMS; AND

(3) DID NOT MAKE A CLAIM UNDER § 37-203 OR § 37-203.1 OF THIS SUBTITLE TO TRANSFER THE PREVIOUS SERVICE CREDIT WITHIN 1 YEAR OF TRANSFERRING INTO ONE OF THE SEVERAL SYSTEMS.

(B) (1) AN INDIVIDUAL DESCRIBED UNDER SUBSECTION (A) OF THIS SECTION MAY REQUEST THE EXECUTIVE DIRECTOR TO ACCEPT THE INDIVIDUAL'S CLAIM TO TRANSFER SERVICE CREDIT ACCRUED IN THE PREVIOUS SYSTEM.

(2) IF THE EXECUTIVE DIRECTOR DENIES A REQUEST FOR A WAIVER, THE DENIAL SHALL BE PRESENTED TO THE BOARD OF TRUSTEES FOR REVIEW.

(3) THE BOARD OF TRUSTEES MAY OVERTURN THE EXECUTIVE DIRECTOR'S DECISION UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(C) ON OR BEFORE OCTOBER 1 OF EACH YEAR, THE BOARD OF TRUSTEES SHALL SUBMIT A REPORT TO THE JOINT COMMITTEE ON PENSIONS

IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THAT PROVIDES:

(1) THE NUMBER OF REQUESTS MADE BY INDIVIDUALS TO THE EXECUTIVE DIRECTOR REQUESTING A WAIVER OF THE 1-YEAR REQUIREMENT TO CLAIM TRANSFERRED SERVICE CREDIT;

(2) THE NUMBER OF REQUESTS GRANTED AND DENIED BY THE EXECUTIVE DIRECTOR; AND

(3) THE NUMBER OF REQUESTS GRANTED BY THE BOARD OF TRUSTEES FOLLOWING A DENIAL BY THE EXECUTIVE DIRECTOR.

(D) THE BOARD OF TRUSTEES SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That:”.

AMENDMENT NO. 3

On page 2, in line 20, strike “2.” and substitute “3.”; in line 21, strike “It” and substitute “Section 2 of this Act”; and in line 22, after “Assembly,” insert “Section 2 of”.