

# HOUSE BILL 630

D1, K4

71r2227

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By: **Delegate Bohanan**

Introduced and read first time: February 8, 2007

Assigned to: Appropriations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Judges' Retirement System – Employment on Faculty of Public Institution of**  
3 **Higher Education**

4 FOR the purpose of establishing that a certain limitation on earnings and reduction of  
5 retirement allowance for retired judges does not apply to a retiree who is  
6 employed as a member of the faculty of a public institution of higher education  
7 in the State; providing for the application of this Act; clarifying language; and  
8 generally relating to retired judges.

9 BY repealing and reenacting, with amendments,  
10 Article – State Personnel and Pensions  
11 Section 27–406  
12 Annotated Code of Maryland  
13 (2004 Replacement Volume and 2006 Supplement)

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

16 **Article – State Personnel and Pensions**

17 27–406.

18 (a) This section does not apply to a retiree who:

19 (1) is temporarily assigned to sit in a court of this State under the  
20 authority of Article IV, § 3A of the Maryland Constitution; or

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (2) is [reemployed] **EMPLOYED** as a member of the faculty of a  
2 [community college] **PUBLIC INSTITUTION OF HIGHER EDUCATION** in the State.

3           (b) Subject to subsection (c) of this section, a retiree may accept employment  
4 in which all or part of the compensation for the employment comes from municipal,  
5 county, or State funds, if the retiree immediately notifies the Board of Trustees of:

6           (1) the retiree's intention to accept the employment; and

7           (2) the compensation that the retiree will receive.

8           (c) (1) The Board of Trustees shall reduce a retiree's retirement allowance  
9 by the amount that the sum of the retiree's annual retirement allowance and the  
10 retiree's annual compensation exceeds the amount of the compensation on which the  
11 retirement allowance is based.

12           (2) If a retiree accepts employment as allowed by subsection (a) of this  
13 section and is subsequently awarded retirement benefits because of that employment,  
14 the Board of Trustees shall reduce the retiree's benefits under this subtitle by the  
15 amount of the retirement benefits resulting from the subsequent employment.

16           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be  
17 construed to apply only prospectively and may not be applied or interpreted to have  
18 any effect on or application to any wages earned before the effective date of this Act.

19           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
20 October 1, 2007.