

HOUSE BILL 36

K4
HB 630/07 – APP

(PRE-FILED)

8lr0809

By: **Delegate Bohanan**

Requested: October 2, 2007

Introduced and read first time: January 9, 2008

Assigned to: Appropriations

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; and generally relating to the employment of retired judges.

8 BY repealing and reenacting, with amendments,
9 Article – State Personnel and Pensions
10 Section 27–406
11 Annotated Code of Maryland
12 (2004 Replacement Volume and 2007 Supplement)

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

15 **Article – State Personnel and Pensions**

16 27–406.

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

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) A retiree may accept employment in which all or part of the
2 compensation for the employment comes from municipal, county, or State funds, if the
3 retiree immediately notifies the Board of Trustees of:

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

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

6 (c) (1) The Board of Trustees shall reduce the retirement allowance of a
7 retiree who accepts employment as provided under subsection (b) of this section if the
8 retiree's current employer is any unit of State government and the retiree's employer
9 at the time of the retiree's last separation from employment with the State before the
10 retiree commenced receiving a service retirement allowance was also a unit of State
11 government.

12 (2) The reduction required under paragraph (1) of this subsection shall
13 equal the amount that the sum of the retiree's annual retirement allowance and the
14 retiree's annual compensation exceeds the amount of the compensation on which the
15 retirement allowance is based.

16 (d) If a retiree accepts employment as allowed by subsection (a) of this
17 section and is subsequently awarded retirement benefits because of that employment,
18 the Board of Trustees shall reduce the retiree's benefits under this subtitle by the
19 amount of the retirement benefits resulting from the subsequent employment if the
20 retiree's current employer is any unit of State government and the retiree's employer
21 at the time of the retiree's last separation from employment with the State before the
22 retiree commenced receiving a service retirement allowance was also a unit of State
23 government.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 July 1, 2008.