

SENATE BILL 564

K4

8lr2374
CF HB 720

By: **Senator McFadden (Chair, Joint Committee on Pensions) and Senators Currie, Kasemeyer, Munson, and Robey**
Introduced and read first time: February 1, 2008
Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **State Retirement and Pension System – Reemployment of Retirees**

3 FOR the purpose of requiring certain local school superintendents to make certain
4 reimbursements under certain circumstances by a certain date; providing that
5 certain members of the Judges' Retirement System may earn service credit
6 under certain circumstances; providing for certain individuals who are retirees
7 of the Employees' Retirement System or Employees' Pension System to elect to
8 suspend temporarily their service retirement allowances under certain
9 circumstances; requiring the Board of Trustees to suspend temporarily certain
10 service retirement allowances under certain circumstances as of a certain date;
11 exempting certain individuals who are retirees of the Employees' Retirement
12 System or Employees' Pension System from a certain earnings offset under
13 certain circumstances; providing for the resumption of a service retirement
14 allowance with certain adjustments to the allowance after receipt by the Board
15 of Trustees for the State Retirement and Pension System of certain
16 documentation; providing for certain survivorship benefits for surviving spouses
17 of certain individuals who are retirees of the Employees' Retirement System or
18 Employees' Pension System; requiring the Joint Committee on Pensions to
19 submit certain information to the Senate Budget and Taxation Committee and
20 the House Appropriations Committee by a certain date; requiring certain State
21 agencies to submit certain data to the Joint Committee on Pensions; providing
22 for the termination of certain provisions of this Act; and generally relating to
23 reemployment of retirees of the State Retirement and Pension System.

24 BY repealing and reenacting, with amendments,
25 Article – State Personnel and Pensions
26 Section 22–406(c)(1) and (9) and 23–407(c)(1) and (9)
27 Annotated Code of Maryland
28 (2004 Replacement Volume and 2007 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 BY adding to
2 Article – State Personnel and Pensions
3 Section 22–407 and 23–408
4 Annotated Code of Maryland
5 (2004 Replacement Volume and 2007 Supplement)

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

8 **Article – State Personnel and Pensions**

9 22–406.

10 (c) (1) [The] **EXCEPT AS PROVIDED IN § 22–407 OF THIS SUBTITLE,**
11 **THE** Board of Trustees shall reduce the allowance of an individual who accepts
12 employment as provided under subsection (b) of this section if:

13 (i) the individual’s current employer is a participating employer
14 other than the State and is the same participating employer that employed the
15 individual at the time of the individual’s last separation from employment with a
16 participating employer before the individual commenced receiving a service retirement
17 allowance or vested allowance;

18 (ii) the individual’s current employer is any unit of State
19 government and the individual’s employer at the time of the individual’s last
20 separation from employment with the State before the individual commenced
21 receiving a service retirement allowance or vested allowance was also a unit of State
22 government; or

23 (iii) the individual becomes reemployed within 12 months of
24 receiving an early service retirement allowance under § 22–402 of this subtitle.

25 (9) (i) The superintendent of the local school system rehiring an
26 individual under paragraph (4)(v) or (vi) of this subsection shall:

27 1. approve the rehiring of that individual; and
28 2. determine the school where the individual is to be
29 reemployed.

30 (ii) Within 30 days after rehiring an individual, the
31 superintendent of a local school system shall complete and file with the Board of
32 Trustees and the State Department of Education a form provided by the Board of
33 Trustees that certifies that the individual rehired by the local school system under
34 paragraph (4)(v) or (vi) of this subsection:

1 1. satisfied the criteria provided in paragraph (4)(v) or
2 (vi) of this subsection;

3 2. was reemployed at a school described under
4 paragraph (5)(i) or (6) of this subsection; and

5 3. if rehired under paragraph (4)(v) of this subsection,
6 was:

7 A. teaching in an area specified in paragraph (5)(ii) of
8 this subsection; or

9 B. teaching in any class or subject or providing
10 educational services as provided under paragraph (8) of this subsection.

11 (iii) 1. On or before April 1 of each year, the Board of
12 Trustees and the State Department of Education shall jointly review any forms filed
13 by a superintendent of a local school system under subparagraph (ii) of this paragraph
14 during the previous calendar year.

15 2. If the Board of Trustees and the State Department of
16 Education agree that a superintendent of a local school system has rehired an
17 individual that does not satisfy the criteria provided in paragraph (4)(v) or (vi) and (5),
18 (6), or (8) of this subsection:

19 A. on or before July 1 of the year of the finding, the
20 Board of Trustees shall notify the superintendent of the local school system of this
21 individual; and

22 B. the local school system shall reimburse the Board of
23 Trustees the amount equal to the reduction to the individual's retirement allowance
24 that would have been made in paragraph (2) of this subsection.

25 (iv) **IF A SUPERINTENDENT OF A LOCAL SCHOOL SYSTEM**
26 **REHIRS AN INDIVIDUAL THAT SATISFIES THE CRITERIA PROVIDED IN**
27 **PARAGRAPHS (4)(V) OR (VI) AND (5), (6), OR (8) OF THIS SUBSECTION AND THE**
28 **BOARD OF TRUSTEES AND THE STATE DEPARTMENT OF EDUCATION DO NOT**
29 **RECEIVE CERTIFICATION FROM THE SUPERINTENDENT IN THE TIME REQUIRED**
30 **UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH:**

31 1. **ON OR BEFORE JULY 1 OF THE YEAR OF THE**
32 **FINDING, THE BOARD OF TRUSTEES SHALL NOTIFY THE SUPERINTENDENT OF**
33 **THE LOCAL SCHOOL SYSTEM OF THIS INDIVIDUAL; AND**

34 2. **THE LOCAL SCHOOL SYSTEM SHALL REIMBURSE**
35 **THE BOARD OF TRUSTEES THE AMOUNT EQUAL TO ANY REDUCTION TO THE**

1 INDIVIDUAL'S RETIREMENT ALLOWANCE THAT WOULD HAVE BEEN MADE IN
 2 PARAGRAPH (2) OF THIS SUBSECTION AS A RESULT OF THE SUPERINTENDENT'S
 3 FAILURE TO SUBMIT CERTIFICATION UNDER SUBPARAGRAPH (II) OF THIS
 4 PARAGRAPH.

5 (V) The local school system shall make the reimbursement on or
 6 before December 31 of the year the local school system receives notice from the Board
 7 of Trustees under subparagraph (iii)2A of this paragraph.

8 **22-407.**

9 (A) THIS SECTION APPLIES TO AN INDIVIDUAL WHO:

10 (1) IS APPOINTED AS A JUDGE OF THE COURT OF APPEALS, THE
 11 COURT OF SPECIAL APPEALS, A CIRCUIT COURT OF A COUNTY IN THE STATE,
 12 OR THE DISTRICT COURT OF MARYLAND; AND

13 (2) (I) IS RECEIVING A SERVICE RETIREMENT ALLOWANCE
 14 FROM THE EMPLOYEES' RETIREMENT SYSTEM AT THE TIME OF APPOINTMENT
 15 IN ITEM (1) OF THIS SUBSECTION; OR

16 (II) 1. HAS EARNED A VESTED ALLOWANCE FROM THE
 17 EMPLOYEES' RETIREMENT SYSTEM; AND

18 2. BEGINS RECEIVING THE VESTED ALLOWANCE
 19 WHILE SERVING AS A JUDGE DESCRIBED IN ITEM (1) OF THIS SUBSECTION.

20 (B) AN INDIVIDUAL DESCRIBED IN SUBSECTION (A) OF THIS SECTION
 21 MAY ELECT TO RECEIVE SERVICE CREDIT IN THE JUDGES' RETIREMENT
 22 SYSTEM.

23 (C) (1) AN INDIVIDUAL DESCRIBED IN SUBSECTION (A) OF THIS
 24 SECTION WHO ELECTS TO RECEIVE SERVICE CREDIT IN THE JUDGES'
 25 RETIREMENT SYSTEM UNDER SUBSECTION (B) OF THIS SECTION SHALL
 26 COMPLETE AND FILE A FORM PROVIDED BY THE BOARD OF TRUSTEES
 27 DIRECTING THE BOARD OF TRUSTEES TO SUSPEND THE INDIVIDUAL'S
 28 ALLOWANCE WHILE THE INDIVIDUAL IS RECEIVING SERVICE CREDIT IN THE
 29 JUDGES' RETIREMENT SYSTEM.

30 (2) (I) AN INDIVIDUAL SHALL FILE A FORM DESCRIBED IN
 31 PARAGRAPH (1) OF THIS SUBSECTION WITH THE BOARD OF TRUSTEES:

32 1. IF THE INDIVIDUAL IS RECEIVING A SERVICE
 33 RETIREMENT ALLOWANCE FROM THE EMPLOYEES' RETIREMENT SYSTEM

1 PRIOR TO SERVING AS A JUDGE, AT THE TIME THE INDIVIDUAL BECOMES A
2 MEMBER OF THE JUDGES' RETIREMENT SYSTEM; OR

3 2. IF THE INDIVIDUAL HAS EARNED A VESTED
4 ALLOWANCE FROM THE EMPLOYEES' RETIREMENT SYSTEM AND BECOMES
5 ELIGIBLE TO RECEIVE THAT ALLOWANCE AFTER THE INDIVIDUAL BECOMES A
6 MEMBER OF THE JUDGES' RETIREMENT SYSTEM, AT THE TIME THE INDIVIDUAL
7 APPLIES TO RECEIVE THE VESTED ALLOWANCE.

8 (II) A TEMPORARY SUSPENSION UNDER THIS SUBSECTION
9 SHALL BEGIN ON THE FIRST DAY OF THE MONTH FOLLOWING THE MONTH IN
10 WHICH THE BOARD OF TRUSTEES RECEIVED THE INDIVIDUAL'S REQUEST TO
11 TEMPORARILY SUSPEND THE ALLOWANCE.

12 (D) AN INDIVIDUAL WHOSE ALLOWANCE IS TEMPORARILY SUSPENDED
13 UNDER SUBSECTION (C) OF THIS SECTION IS NOT SUBJECT TO A REDUCTION AS
14 PROVIDED IN § 22-406 OF THIS SUBTITLE DURING THE PERIOD THE INDIVIDUAL
15 IS SERVING AS A JUDGE.

16 (E) (1) ON RECEIVING SATISFACTORY DOCUMENTATION THAT THE
17 INDIVIDUAL IS NO LONGER SERVING AS A JUDGE, THE BOARD OF TRUSTEES
18 SHALL REINSTATE THE INDIVIDUAL'S ALLOWANCE WITH ACCUMULATED
19 COST-OF-LIVING ADJUSTMENTS FROM THE DATE THE ALLOWANCE WAS
20 TEMPORARILY SUSPENDED.

21 (2) THE INDIVIDUAL'S ALLOWANCE WILL BE REINSTATED ON THE
22 FIRST DAY OF THE MONTH FOLLOWING THE MONTH IN WHICH THE INDIVIDUAL
23 CEASED SERVING AS A JUDGE.

24 (F) IF AN INDIVIDUAL WHOSE ALLOWANCE IS TEMPORARILY
25 SUSPENDED DIES WHILE SERVING AS A JUDGE, THE SURVIVING SPOUSE OF THE
26 INDIVIDUAL SHALL RECEIVE:

27 (1) SURVIVORSHIP BENEFITS AS PROVIDED IN § 27-403 OF THIS
28 ARTICLE; AND

29 (2) IF THE SURVIVING SPOUSE IS THE INDIVIDUAL'S DESIGNATED
30 BENEFICIARY, THE SURVIVORSHIP BENEFITS SELECTED BY THE INDIVIDUAL AT
31 THE TIME OF RETIREMENT FROM THE EMPLOYEES' RETIREMENT SYSTEM.

32 23-407.

1 (c) (1) [The] **EXCEPT AS PROVIDED IN § 23-408 OF THIS SUBTITLE,**
2 **THE** Board of Trustees shall reduce the allowance of an individual who accepts
3 employment as provided under subsection (b) of this section if:

4 (i) the individual's current employer is a participating employer
5 other than the State and is the same participating employer that employed the
6 individual at the time of the individual's last separation from employment with a
7 participating employer before the individual commenced receiving a service retirement
8 allowance or vested allowance;

9 (ii) the individual's current employer is any unit of State
10 government and the individual's employer at the time of the individual's last
11 separation from employment with the State before the individual commenced
12 receiving a service retirement allowance or vested allowance was also a unit of State
13 government; or

14 (iii) the individual becomes reemployed within 12 months of
15 receiving an early service retirement allowance or an early vested allowance computed
16 under § 23-402 of this subtitle.

17 (9) (i) The superintendent of the local school system rehiring an
18 individual under paragraph (4)(iv) or (v) of this subsection shall:

19 1. approve the rehiring of that individual; and
20 2. determine the school where the individual is to be
21 reemployed.

22 (ii) Within 30 days after rehiring an individual, the
23 superintendent of a local school system shall complete and file with the Board of
24 Trustees and the State Department of Education a form provided by the Board of
25 Trustees that certifies that the individual rehired by the local school system under
26 paragraph [(4)(v) or (vi)] **(4)(IV) OR (V)** of this subsection:

27 1. satisfied the criteria provided in paragraph (4)(iv) or
28 (v) of this subsection;

29 2. was reemployed at a school described under
30 paragraph (5)(i) or (6) of this subsection; and

31 3. if rehired under paragraph (4)(iv) of this subsection,
32 was:

33 A. teaching in an area specified in paragraph (5)(ii) of
34 this subsection; or

1 B. teaching in any class or subject or providing
2 educational services as provided under paragraph (8) of this subsection.

3 (iii) 1. On or before April 1 of each year, the Board of
4 Trustees and the State Department of Education shall jointly review any forms filed
5 by a superintendent of a local school system under subparagraph (ii) of this
6 paragraph.

7 2. If the Board of Trustees and the State Department of
8 Education agree that a superintendent of a local school system has rehired an
9 individual that does not satisfy the criteria provided in paragraph (4)(iv) or (v) and (5),
10 (6), or (8) of this subsection:

11 A. on or before July 1 of the year of the finding, the
12 Board of Trustees shall notify the superintendent of the local school system of this
13 individual; and

14 B. the local school system shall reimburse the Board of
15 Trustees the amount equal to the reduction to the individual's retirement allowance
16 that would have been made in paragraph (2) of this subsection.

17 (iv) **IF A SUPERINTENDENT OF A LOCAL SCHOOL SYSTEM**
18 **REHIRS AN INDIVIDUAL THAT SATISFIES THE CRITERIA PROVIDED IN**
19 **PARAGRAPHS (4)(IV) OR (V) AND (5), (6), OR (8) OF THIS SUBSECTION AND THE**
20 **BOARD OF TRUSTEES AND THE STATE DEPARTMENT OF EDUCATION DO NOT**
21 **RECEIVE CERTIFICATION FROM THE SUPERINTENDENT IN THE TIME REQUIRED**
22 **UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH:**

23 **1. ON OR BEFORE JULY 1 OF THE YEAR OF THE**
24 **FINDING, THE BOARD OF TRUSTEES SHALL NOTIFY THE SUPERINTENDENT OF**
25 **THE LOCAL SCHOOL SYSTEM OF THIS INDIVIDUAL; AND**

26 **2. THE LOCAL SCHOOL SYSTEM SHALL REIMBURSE**
27 **THE BOARD OF TRUSTEES THE AMOUNT EQUAL TO ANY REDUCTION TO THE**
28 **INDIVIDUAL'S RETIREMENT ALLOWANCE THAT WOULD HAVE BEEN MADE IN**
29 **PARAGRAPH (2) OF THIS SUBSECTION AS A RESULT OF THE SUPERINTENDENT'S**
30 **FAILURE TO SUBMIT CERTIFICATION UNDER SUBPARAGRAPH (II) OF THIS**
31 **PARAGRAPH.**

32 (v) The local school system shall make the reimbursement on or
33 before December 31 of the year the local school system receives notice from the Board
34 of Trustees under subparagraph (iii)2A of this paragraph.

35 **23-408.**

36 (A) **THIS SECTION APPLIES TO AN INDIVIDUAL WHO:**

1 (1) IS APPOINTED AS A JUDGE OF THE COURT OF APPEALS, THE
2 COURT OF SPECIAL APPEALS, A CIRCUIT COURT OF A COUNTY IN THE STATE,
3 OR THE DISTRICT COURT OF MARYLAND; AND

4 (2) (I) IS RECEIVING A SERVICE RETIREMENT ALLOWANCE
5 FROM THE EMPLOYEES' PENSION SYSTEM AT THE TIME OF APPOINTMENT IN
6 ITEM (1) OF THIS SUBSECTION; OR

7 (II) 1. HAS EARNED A VESTED ALLOWANCE FROM THE
8 EMPLOYEES' PENSION SYSTEM; AND

9 2. BEGINS RECEIVING THE VESTED ALLOWANCE
10 WHILE SERVING AS A JUDGE DESCRIBED IN ITEM (1) OF THIS SUBSECTION.

11 (B) AN INDIVIDUAL DESCRIBED IN SUBSECTION (A) OF THIS SECTION
12 MAY ELECT TO RECEIVE SERVICE CREDIT IN THE JUDGES' RETIREMENT
13 SYSTEM.

14 (C) (1) AN INDIVIDUAL DESCRIBED IN SUBSECTION (A) OF THIS
15 SECTION WHO ELECTS TO RECEIVE SERVICE CREDIT IN THE JUDGES'
16 RETIREMENT SYSTEM UNDER SUBSECTION (B) OF THIS SECTION SHALL
17 COMPLETE AND FILE A FORM PROVIDED BY THE BOARD OF TRUSTEES
18 DIRECTING THE BOARD OF TRUSTEES TO SUSPEND THE INDIVIDUAL'S
19 ALLOWANCE WHILE THE INDIVIDUAL IS RECEIVING SERVICE CREDIT IN THE
20 JUDGES' RETIREMENT SYSTEM.

21 (2) (I) AN INDIVIDUAL SHALL FILE A FORM DESCRIBED IN
22 PARAGRAPH (1) OF THIS SUBSECTION WITH THE BOARD OF TRUSTEES:

23 1. IF THE INDIVIDUAL IS RECEIVING A SERVICE
24 RETIREMENT ALLOWANCE FROM THE EMPLOYEES' PENSION SYSTEM PRIOR TO
25 SERVING AS A JUDGE, AT THE TIME THE INDIVIDUAL BECOMES A MEMBER OF
26 THE JUDGES' RETIREMENT SYSTEM; OR

27 2. IF THE INDIVIDUAL HAS EARNED A VESTED
28 ALLOWANCE FROM THE EMPLOYEES' PENSION SYSTEM AND BECOMES
29 ELIGIBLE TO RECEIVE THAT ALLOWANCE AFTER THE INDIVIDUAL BECOMES A
30 MEMBER OF THE JUDGES' RETIREMENT SYSTEM, AT THE TIME THE INDIVIDUAL
31 APPLIES TO RECEIVE THE VESTED ALLOWANCE.

32 (II) A TEMPORARY SUSPENSION UNDER THIS SUBSECTION
33 SHALL BEGIN ON THE FIRST DAY OF THE MONTH FOLLOWING THE MONTH IN

1 WHICH THE BOARD OF TRUSTEES RECEIVED THE INDIVIDUAL'S REQUEST TO
2 TEMPORARILY SUSPEND THE ALLOWANCE.

3 (D) AN INDIVIDUAL WHOSE ALLOWANCE IS TEMPORARILY SUSPENDED
4 UNDER SUBSECTION (C) OF THIS SECTION IS NOT SUBJECT TO A REDUCTION AS
5 PROVIDED IN § 23-407 OF THIS SUBTITLE DURING THE PERIOD THE INDIVIDUAL
6 IS SERVING AS A JUDGE.

7 (E) (1) ON RECEIVING SATISFACTORY DOCUMENTATION THAT THE
8 INDIVIDUAL IS NO LONGER SERVING AS A JUDGE, THE BOARD OF TRUSTEES
9 SHALL REINSTATE THE INDIVIDUAL'S ALLOWANCE WITH ACCUMULATED
10 COST-OF-LIVING ADJUSTMENTS FROM THE DATE THE ALLOWANCE WAS
11 TEMPORARILY SUSPENDED.

12 (2) THE INDIVIDUAL'S ALLOWANCE WILL BE REINSTATED ON THE
13 FIRST DAY OF THE MONTH FOLLOWING THE MONTH IN WHICH THE INDIVIDUAL
14 CEASED SERVING AS A JUDGE.

15 (F) IF AN INDIVIDUAL WHOSE ALLOWANCE IS TEMPORARILY
16 SUSPENDED DIES WHILE SERVING AS A JUDGE, THE SURVIVING SPOUSE OF THE
17 INDIVIDUAL SHALL RECEIVE:

18 (1) SURVIVORSHIP BENEFITS AS PROVIDED IN § 27-403 OF THIS
19 ARTICLE; AND

20 (2) IF THE SURVIVING SPOUSE IS THE INDIVIDUAL'S DESIGNATED
21 BENEFICIARY, THE SURVIVORSHIP BENEFITS SELECTED BY THE INDIVIDUAL AT
22 THE TIME OF RETIREMENT FROM THE EMPLOYEES' PENSION SYSTEM.

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

24 (a) (1) This subsection applies to an individual who on June 30, 2008:

25 (i) is serving as a judge of the Court of Appeals, the Court of
26 Special Appeals, a circuit court of a county in the State, or the District Court of
27 Maryland;

28 (ii) is eligible to receive a service retirement allowance or vested
29 allowance from the Employees' Retirement System or Employees' Pension System; and

30 (iii) is receiving service credit in the Judges' Retirement System.

31 (2) (i) An individual described in paragraph (1) of this subsection
32 may elect to apply for a service retirement allowance from the State employees' system
33 from which the individual is eligible to receive an allowance.

1 (ii) An individual who elects to apply for a service retirement
2 allowance under subparagraph (i) of this paragraph shall complete and file a form
3 provided by the Board of Trustees for the State Retirement and Pension System on or
4 before December 31, 2008, directing the Board of Trustees to suspend the individual's
5 service retirement allowance from the Employees' Retirement System or Employees'
6 Pension System while the individual is receiving service credit in the Judges'
7 Retirement System.

8 (b) (1) This subsection applies to an individual who on June 30, 2008:

9 (i) is serving as a judge of the Court of Appeals, the Court of
10 Special Appeals, a circuit court of a county in the State, or the District Court of
11 Maryland;

12 (ii) is receiving a service retirement allowance from the
13 Employees' Retirement System or the Employees' Pension System; and

14 (iii) is receiving a reduction to that allowance under § 22-406 or
15 § 23-407 of the State Personnel and Pensions Article.

16 (2) (i) An individual described in paragraph (1) of this subsection
17 may elect to receive service credit in the Judges' Retirement System.

18 (ii) An individual who elects to receive service credit in the
19 Judges' Retirement System under subparagraph (i) of this paragraph shall complete
20 and file a form provided by the Board of Trustees for the State Retirement and
21 Pension System on or before December 31, 2008, directing the Board of Trustees to
22 suspend the individual's service retirement allowance from the Employees' Retirement
23 System or Employees' Pension System while the individual is receiving service credit
24 in the Judges' Retirement System.

25 (c) A service retirement allowance from the Employees' Retirement System
26 or Employees' Pension System that is temporarily suspended under this section shall
27 be suspended on the first day of the month following the month in which the Board of
28 Trustees receives the individual's completed form under subsection (a)(2) or (b)(2) of
29 this section.

30 (d) An individual whose allowance is temporarily suspended under
31 subsection (a)(2) or (b)(2) of this section is not subject to a reduction as provided in §
32 22-406 or § 23-407 of the State Personnel and Pensions Article during the period the
33 individual is serving as a judge.

34 (e) (1) On receiving satisfactory documentation that the individual is no
35 longer serving as a judge, the Board of Trustees shall reinstate the individual's
36 allowance from the applicable State employees' system with accumulated
37 cost-of-living adjustments from the date the allowance was temporarily suspended.

1 (2) The individual's allowance will be reinstated on the first day of the
2 month following the month in which the individual ceased serving as a judge.

3 (f) If an individual whose allowance from the Employees' Retirement System
4 or Employees' Pension System is temporarily suspended dies while serving as a judge,
5 the surviving spouse of the individual shall receive:

6 (1) survivorship benefits as provided in § 27-403 of the State
7 Personnel and Pensions Article; and

8 (2) if the surviving spouse is the individual's designated beneficiary,
9 the survivorship benefits selected by the individual at the time of retirement from the
10 Employees' Retirement System or Employees' Pension System.

11 SECTION 3. AND BE IT FURTHER ENACTED, That:

12 (a) (1) The Joint Committee on Pensions shall study reemployment of
13 retirees in the State Retirement and Pension System.

14 (2) The Joint Committee on Pensions shall receive data based on
15 criteria established by the Joint Committee on Pensions from:

16 (i) the State Retirement and Pension System;

17 (ii) the Department of Budget and Management; and

18 (iii) the State Department of Education.

19 (b) The Joint Committee on Pensions shall report its findings to the Senate
20 Budget and Taxation Committee and the House Appropriations Committee on or
21 before December 31, 2008, in accordance with § 2-1246 of the State Government
22 Article.

23 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 July 1, 2008. Section 2 of this Act shall remain effective for a period of 6 months and,
25 at the end of December 31, 2008, with no further action required by the General
26 Assembly, Section 2 of this Act shall be abrogated and of no further force and effect.