

HOUSE BILL 37

K4

9lr0820

(PRE-FILED)

By: **Delegate Kullen**

Requested: October 21, 2008

Introduced and read first time: January 14, 2009

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Judges' Retirement System - Disability Retirement**

3 FOR the purpose of altering the computation of a retirement allowance for certain
4 members or former members of the Judges' Retirement System who retire on
5 disability under certain circumstances; and generally relating to disability
6 retirement benefits for members or former members of the Judges' Retirement
7 System.

8 BY repealing and reenacting, with amendments,
9 Article - State Personnel and Pensions
10 Section 27-402(d)
11 Annotated Code of Maryland
12 (2004 Replacement Volume and 2008 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 27-402.

17 (d) (1) This subsection applies to a member or former member who:

18 (i) retires on disability; or

19 (ii) is deemed to retire on disability under paragraph (3) of this
20 subsection.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) If a member or former member has at least 3 years of service credit
2 as a member, the member or former member is entitled to a retirement allowance that
3 is at least one-third of the member's or former member's salary at retirement.

4 (3) **IF A MEMBER OR FORMER MEMBER HAS AT LEAST 10 YEARS**
5 **OF SERVICE CREDIT AS A MEMBER AND HAS BEEN REAPPOINTED OR ELECTED**
6 **TO A SECOND TERM AS A JUDGE, THE MEMBER OR FORMER MEMBER IS**
7 **ENTITLED TO RECEIVE A RETIREMENT ALLOWANCE THAT EQUALS TWO-THIRDS**
8 **OF THE SALARY PAYABLE IN THAT FISCAL YEAR TO A MEMBER HOLDING THE**
9 **SAME LEVEL JUDICIAL POSITION AS THAT HELD BY THE RETIREE ON**
10 **TERMINATION OF SERVICE.**

11 (4) A member who dies after submitting an application for disability
12 but before the medical board approves the application is deemed retired on disability.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 July 1, 2009.