

# HOUSE BILL 1348

K4, D1

9lr3187

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By: **Delegate Frush**

Introduced and read first time: February 19, 2009

Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Judges' Retirement System - Reemployment of Retirees**

3 FOR the purpose of repealing a certain earnings offset of a retirement allowance for  
4 certain retired judges of the Judges' Retirement System who are reemployed by  
5 the State; and generally relating to the reemployment of retirees of the Judges'  
6 Retirement System.

7 BY repealing and reenacting, with amendments,  
8 Article - State Personnel and Pensions  
9 Section 27-406  
10 Annotated Code of Maryland  
11 (2004 Replacement Volume and 2008 Supplement)

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

14 **Article - State Personnel and Pensions**

15 27-406.

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

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

19 (2) is employed as a member of the faculty of a public institution of  
20 higher education in the State.

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

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

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

21           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
22 October 1, 2009.