

HOUSE BILL 1348

K4, D1

9lr3187

By: **Delegate Frush**

Introduced and read first time: February 19, 2009

Assigned to: Rules and Executive Nominations

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:

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.