

# HOUSE BILL 338

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By: **Delegates Sossi, Eckardt, Elmore, Haddaway, Miller, Smigiel, and Stocksdale**

Introduced and read first time: January 27, 2010

Assigned to: Appropriations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Upper Shore Community Mental Health Center – Early Retirement**

3 FOR the purpose of providing certain employees of Upper Shore Community Mental  
4 Health Center with the opportunity to receive an early retirement allowance  
5 under certain circumstances; requiring that certain documents be completed by  
6 a certain date; requiring that a certain reduction be made to the retirement  
7 allowances of certain employees of Upper Shore Community Mental Health  
8 Center; providing for the termination of this Act; and generally relating to  
9 employees of Upper Shore Community Mental Health Center receiving an early  
10 retirement allowance.

11 BY repealing and reenacting, without amendments,  
12 Article – State Personnel and Pensions  
13 Section 23–402  
14 Annotated Code of Maryland  
15 (2009 Replacement Volume and 2009 Supplement)

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

18 **Article – State Personnel and Pensions**

19 23–402.

20 (a) A member may retire with an early service retirement allowance if:

21 (1) the member completes and submits a written application to the  
22 Board of Trustees stating the date when the member desires to retire; and

23 (2) on or before the date of retirement, the member:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (i) has at least 15 years but less than 30 years of eligibility  
2 service; and

3 (ii) is at least 55 but less than 62 years old.

4 (b) On retirement under this section, a member is entitled to receive an early  
5 service retirement allowance that equals the normal service retirement allowance  
6 under § 23–401 of this subtitle, reduced by 0.5% for each month that the member’s  
7 early retirement date precedes the date the member will be 62 years old.

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

9 (a) This section applies only to an employee of Upper Shore Community  
10 Mental Health Center who:

11 (1) was employed by Upper Shore Community Mental Health Center  
12 on July 1, 2009, but whose job is abolished on or after August 1, 2009;

13 (2) on or before the date that the employee’s job with Upper Shore  
14 Community Mental Health Center is abolished, is at least 54 years old and has at  
15 least 25 years of service in the State Retirement and Pension System; and

16 (3) on the date that the employee’s job with Upper Shore Community  
17 Mental Health Center is abolished, is a member of the Employees’ Pension System.

18 (b) An employee described under subsection (a) of this section may retire  
19 with an early service retirement allowance if the member completes and submits a  
20 written application on or before December 31, 2010, to the Board of Trustees stating  
21 the date when the member desires to retire.

22 (c) An employee described under subsection (a) of this section is entitled to  
23 receive an early service retirement allowance that equals the normal service  
24 retirement allowance under § 23–401 of the State Personnel and Pensions Article,  
25 reduced by 0.5% for each month that the employee’s early retirement date precedes  
26 the date the employee will be 62 years old.

27 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
28 July 1, 2010. It shall remain effective for a period of 6 months and, at the end of  
29 December 31, 2010, with no further action required by the General Assembly, this Act  
30 shall be abrogated and of no further force and effect.