

HOUSE BILL 926

K4

0lr1927
CF 0lr3032

By: **Delegates Proctor and Vallario**

Introduced and read first time: February 12, 2010

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **State Retirement and Pension System – Retiree Organizations – Direct**
3 **Mailings**

4 FOR the purpose of providing that certain retiree organizations may make a certain
5 number of annual requests to the Board of Trustees of the State Retirement and
6 Pension System for certain member and retiree information that is necessary
7 for certain direct mailings by the retiree organizations; prohibiting certain
8 retiree organizations from including certain information in certain direct
9 mailings; requiring the Board of Trustees to provide certain retiree
10 organizations with certain information subject to certain agreements; requiring
11 certain retiree organizations to provide certain supplies required for certain
12 direct mailings and to pay certain costs with regard to those direct mailings;
13 providing that the Board of Trustees is not liable for certain information
14 included in certain direct mailings; defining a certain term; and generally
15 relating to direct mailings by retiree organizations to members and retirees of
16 the State Retirement and Pension System.

17 BY adding to
18 Article – State Personnel and Pensions
19 Section 21–128
20 Annotated Code of Maryland
21 (2009 Replacement Volume and 2009 Supplement)

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

24 **Article – State Personnel and Pensions**

25 **21–128.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (A) IN THIS SECTION, "RETIREE ORGANIZATION" MEANS AN
2 ORGANIZATION IN WHICH STATE RETIREES PARTICIPATE AND THAT HAS AS ONE
3 OF ITS PRIMARY PURPOSES REPRESENTING OR PROVIDING SERVICES TO STATE
4 RETIREES.

5 (B) THIS SECTION APPLIES TO ANY RETIREE ORGANIZATION THAT HAS:

6 (1) THE LEGAL AUTHORITY TO PROVIDE SERVICES TO RETIREES
7 OF THE SEVERAL SYSTEMS; AND

8 (2) MEMBERSHIP DUES DEDUCTED FROM MONTHLY BENEFIT
9 PAYMENTS MADE BY THE BOARD OF TRUSTEES TO A RETIREE OF THE SEVERAL
10 SYSTEMS.

11 (C) (1) A RETIREE ORGANIZATION MAY SUBMIT TWO REQUESTS
12 ANNUALLY TO THE BOARD OF TRUSTEES TO ASSIST THE RETIREE
13 ORGANIZATION IN PERFORMING DIRECT MAILINGS TO MEMBERS AND RETIREES
14 OF THE SEVERAL SYSTEMS WHO ARE MEMBERS OF THE RETIREE ORGANIZATION
15 OR ELIGIBLE TO BECOME MEMBERS OF THE RETIREE ORGANIZATION.

16 (2) THE DIRECT MAILINGS MAY NOT BE FOR THE PURPOSE OF
17 SUPPORTING OR OPPOSING ANY POLITICAL PARTY, BALLOT MEASURE, OR
18 CANDIDATE IN ANY ELECTION, INCLUDING ANY STATE GENERAL OR PRIMARY
19 ELECTION OR ANY ELECTION WITHIN THE RETIREE ORGANIZATION.

20 (3) THE BOARD OF TRUSTEES SHALL PROVIDE THE RETIREE
21 ORGANIZATION WITH RETIREE DATA FOR ADDRESSING ENVELOPES TO THE
22 MAIL CENTER UNDER A SECURE DATA SHARE AGREEMENT WITH THE MAIL
23 CENTER UNDER WHICH NEITHER THE RETIREE ORGANIZATION NOR ANY OTHER
24 ENTITY HAS DIRECT ACCESS TO ANY NAMES OR ADDRESSES.

25 (D) THE DIRECT MAILING SHALL PROVIDE MEMBERS AND RETIREES OF
26 THE SEVERAL SYSTEMS WHO ARE MEMBERS OF THE RETIREE ORGANIZATION OR
27 ELIGIBLE TO BECOME MEMBERS OF THE RETIREE ORGANIZATION WITH
28 INFORMATION THAT EXPLAINS THE SERVICES OFFERED BY THE RETIREE
29 ORGANIZATION.

30 (E) (1) THE RETIREE ORGANIZATION SHALL PROVIDE ALL PRINTED
31 MATERIALS TO BE MAILED AND ENVELOPES TO A MAIL PROCESSING CENTER.

32 (2) THE RETIREE ORGANIZATION IS RESPONSIBLE FOR PAYING
33 ALL COSTS FOR GENERATING MAILING LABELS, INSERTING MATERIALS INTO
34 ENVELOPES, SEALING, LABELING, AND DELIVERING MATERIALS TO BE MAILED
35 TO A BULK MAIL CENTER OR POST OFFICE.

1 **(3) THE RETIREE ORGANIZATION IS RESPONSIBLE FOR ALL**
2 **POSTAGE COSTS INVOLVED FOR THE DIRECT MAILINGS.**

3 **(F) THE BOARD OF TRUSTEES IS NOT LIABLE FOR THE CONTENT OF**
4 **ANY DIRECT MAILING SENT UNDER THIS SECTION.**

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 July 1, 2010.