

# SENATE BILL 42

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0lr0971

(PRE-FILED)

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By: **Senators Colburn and Pipkin**

Requested: November 9, 2009

Introduced and read first time: January 13, 2010

Assigned to: Budget and Taxation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Caroline County – Orphans’ Court Judges – Pensions**

3 FOR the purpose of removing Caroline County from the list of counties that are  
4 excepted from the requirement to pay a certain pension to each judge of the  
5 Orphans’ Court under certain circumstances.

6 BY repealing and reenacting, with amendments,  
7 Article – Estates and Trusts  
8 Section 2–108(y)  
9 Annotated Code of Maryland  
10 (2001 Replacement Volume and 2009 Supplement)

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

13 **Article – Estates and Trusts**

14 2–108.

15 (y) (1) Except in Montgomery, Frederick, Carroll, Talbot, [Caroline,]  
16 Cecil, Kent, Queen Anne’s, Baltimore, Garrett, and Harford counties and Baltimore  
17 City, and except as provided in paragraphs (3) and (4) of this subsection, a county  
18 shall pay a pension, in the same manner as salaries are paid during active service, to  
19 each judge of the Orphans’ Court who:

- 20 (i) Has terminated active service;
- 21 (ii) Has reached 60 years of age; and
- 22 (iii) Has completed at least two terms of office.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (2) Except as provided in paragraph (5) of this subsection, the salary  
2 or pension shall be the greater of:

3                   (i) \$1,200 annually; or

4                   (ii) An annual amount calculated at the rate of 4 percent of the  
5 last annual amount of compensation multiplied by the number of years or partial  
6 years of service, not exceeding 12 years.

7           (3) An Orphans' Court judge in Somerset County and Worcester  
8 County is eligible for a pension under this subsection only if he is in office on or before  
9 July 1, 1979.

10           (4) In Wicomico County, an Orphans' Court judge who has completed  
11 at least 12 years in office is eligible for a pension under this subsection.

12           (5) In Prince George's County, the salary or pension to each Orphans'  
13 Court judge shall be the greater of:

14                   (i) \$1,200 annually; or

15                   (ii) An annual amount calculated at the rate of 4 percent of the  
16 last annual amount of compensation multiplied by the number of years or partial  
17 years of service, not exceeding 20 years.

18           (6) The pension or salary may be suspended during any month the  
19 judge is a full-time employee of any county or of this State.

20           (7) Notwithstanding any provision of this section an Orphans' Court  
21 judge may not receive a pension under this section if he is receiving any other State  
22 pension based on service as an Orphans' Court judge.

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