

SENATE BILL 42

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(PRE-FILED)

0lr0971
CF HB 339

By: **Senators Colburn and Pipkin**

Requested: November 9, 2009

Introduced and read first time: January 13, 2010

Assigned to: Budget and Taxation

Committee Report: Favorable

Senate action: Adopted

Read second time: February 4, 2010

CHAPTER _____

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:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

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

- 6 (i) \$1,200 annually; or
- 7 (ii) An annual amount calculated at the rate of 4 percent of the
8 last annual amount of compensation multiplied by the number of years or partial
9 years of service, not exceeding 12 years.

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

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

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

- 17 (i) \$1,200 annually; or
- 18 (ii) An annual amount calculated at the rate of 4 percent of the
19 last annual amount of compensation multiplied by the number of years or partial
20 years of service, not exceeding 20 years.

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

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

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