

SB0335/293325/1

BY: Conference Committee

AMENDMENTS TO SENATE BILL 335
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “for New Members” and substitute “and Vesting Requirements”; strike beginning with “individuals” in line 3 down through “become” in line 4; in line 4, strike “on or after a certain date”; strike beginning with “altering” in line 5 down through “Act;” in line 7 and substitute “requiring individuals who become members of the Judges’ Retirement System on or after a certain date to earn a certain amount of eligibility service before becoming eligible to receive certain retirement allowances; altering the calculation of a normal service retirement allowance for certain members in the Judges’ Retirement System;”; in line 10, after “27-202” insert “. 27-401, and 27-402(c)”; strike in their entirety lines 13 through 18, inclusive; and after line 18, insert:

“BY repealing

Article - State Personnel and Pensions
Section 29-301
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Personnel and Pensions
Section 29-301
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)”.

AMENDMENT NO. 2

On page 2, in line 3, strike the brackets; in the same line, strike “**SUBSECTIONS (B) AND (C)**”; in line 4, strike “6%” and substitute “8%”; and strike beginning with “**THE**” in line 5 down through “**(C)**” in line 8.

(Over)

AMENDMENT NO. 3

On page 2, strike in their entirety lines 10 through 22, inclusive, and substitute:

“27–401.

(A) (1) THIS SUBSECTION APPLIES ONLY TO AN INDIVIDUAL WHO IS A MEMBER OF THE JUDGES’ RETIREMENT SYSTEM ON OR BEFORE JUNE 30, 2012.

(2) A member or former member is entitled to a retirement allowance:

[(1)] (I) on termination of service, if the member is at least 60 years old;

[(2)] (II) on the recommendation of the medical board, if the member or former member resigns because of disability;

[(3)] (III) when retired by order of the Court of Appeals; or

[(4)] (IV) at the age of 60 years, if the former member’s termination of service occurred earlier.

(B) (1) THIS SUBSECTION APPLIES ONLY TO AN INDIVIDUAL WHO BECOMES A MEMBER OF THE JUDGES’ RETIREMENT SYSTEM ON OR AFTER JULY 1, 2012.

(2) A MEMBER OR FORMER MEMBER IS ENTITLED TO A RETIREMENT ALLOWANCE:

(I) ON TERMINATION OF SERVICE, IF THE MEMBER IS AT LEAST 60 YEARS OLD AND HAS AT LEAST 5 YEARS OF ELIGIBILITY SERVICE;

(II) ON THE RECOMMENDATION OF THE MEDICAL BOARD, IF THE MEMBER OR FORMER MEMBER RESIGNS BECAUSE OF DISABILITY;

(III) WHEN RETIRED BY ORDER OF THE COURT OF APPEALS;
OR

(IV) AT THE AGE OF 60 YEARS, IF THE FORMER MEMBER'S TERMINATION OF SERVICE OCCURRED EARLIER AND THE FORMER MEMBER HAD AT LEAST 5 YEARS OF ELIGIBILITY SERVICE WHEN THE FORMER MEMBER TERMINATED SERVICE.

27-402.

(c) (1) (I) THIS PARAGRAPH APPLIES ONLY TO AN INDIVIDUAL WHO IS A MEMBER OF THE JUDGES' RETIREMENT SYSTEM ON OR BEFORE JUNE 30, 2012.

(II) On retirement under this subtitle by a retiree who has less than 16 years of service credit as a member, the retiree is entitled to a reduced retirement allowance that equals the retirement allowance computed under subsection (a) or (b) of this section multiplied by a fraction that has:

[(1)] 1. for its numerator, the number of years of service credit as a member; and

[(2)] 2. for its denominator, 16.

(Over)

(2) (I) THIS PARAGRAPH APPLIES ONLY TO AN INDIVIDUAL WHO BECOMES A MEMBER OF THE JUDGES' RETIREMENT SYSTEM ON OR AFTER JULY 1, 2012.

(II) ON RETIREMENT UNDER THIS SUBTITLE BY A RETIREE WHO HAS AT LEAST 5 YEARS BUT LESS THAN 16 YEARS OF SERVICE CREDIT AS A MEMBER, THE RETIREE IS ENTITLED TO A REDUCED RETIREMENT ALLOWANCE THAT EQUALS THE RETIREMENT ALLOWANCE COMPUTED UNDER SUBSECTION (A) OR (B) OF THIS SECTION MULTIPLIED BY A FRACTION THAT HAS:

1. FOR ITS NUMERATOR, THE NUMBER OF YEARS OF SERVICE CREDIT AS A MEMBER; AND

2. FOR ITS DENOMINATOR, 16.

[29-301.

This subtitle does not apply to the Judges' Retirement System.]

29-301.

(A) THIS SECTION APPLIES ONLY TO A MEMBERS OF THE JUDGES' RETIREMENT SYSTEM WHO BECOMES A MEMBER ON OR AFTER JULY 1, 2012.

(B) (1) A MEMBER MAY ELECT TO RECEIVE A VESTED ALLOWANCE IF:

(I) THE MEMBER IS SEPARATED FROM EMPLOYMENT OTHER THAN BY DEATH OR RETIREMENT; AND

(II) THE MEMBER HAS AT LEAST 5 YEARS OF ELIGIBILITY SERVICE.

(2) A MEMBER IS DEEMED TO HAVE ELECTED A VESTED ALLOWANCE, UNLESS THE MEMBER REQUESTS THE RETURN OF THE ACCUMULATED CONTRIBUTIONS BEFORE MEMBERSHIP ENDS.

(C) A VESTED ALLOWANCE IS A DEFERRED ALLOWANCE STARTING AT AGE 60.

(D) A VESTED ALLOWANCE:

(1) IS COMPUTED AS A RETIREMENT ALLOWANCE UNDER § 27-402 OF THIS ARTICLE ON THE BASIS OF THE FORMER MEMBER'S CREDITABLE SERVICE AT THE TIME OF SEPARATION FROM EMPLOYMENT; AND

(2) MAY BE PAID IN ONE OF THE OPTIONAL FORMS OF ALLOWANCES UNDER § 21-403 OF THIS ARTICLE, IF AT RETIREMENT, THE MEMBER DOES NOT HAVE A SPOUSE OR CHILD UNDER THE AGE OF 18.

(E) (1) IF A FORMER MEMBER WHO ELECTED A VESTED ALLOWANCE REQUESTS THE RETURN OF ACCUMULATED CONTRIBUTIONS BEFORE PAYMENT OF THE VESTED ALLOWANCE BEGINS, THE BOARD OF TRUSTEES SHALL RETURN THE ACCUMULATED CONTRIBUTIONS TO THE FORMER MEMBER.

(2) WHEN ACCUMULATED CONTRIBUTIONS ARE RETURNED TO A FORMER MEMBER, THE FORMER MEMBER IS NOT ENTITLED TO FURTHER BENEFITS ON ACCOUNT OF THE FORMER MEMBER'S PREVIOUS MEMBERSHIP."

AMENDMENT NO. 4

(Over)

On page 2, in line 23, strike “4.” and substitute “2.”; and strike beginning with the second comma in line 23 down through “Act.” in line 24.