

# SENATE BILL 119

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By: **Chair, Budget and Taxation Committee (By Request – Departmental – Higher Education Commission)**

Introduced and read first time: January 18, 2012

Assigned to: Budget and Taxation

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## A BILL ENTITLED

1 AN ACT concerning

2 **State Personnel and Pensions – Optional Retirement Program – Maryland**  
3 **Higher Education Commission**

4 FOR the purpose of clarifying the eligibility of certain employees of the Maryland  
5 Higher Education Commission to participate in the Optional Retirement  
6 Program; providing for the application of this Act; and generally relating to the  
7 Maryland Higher Education Commission and the Optional Retirement  
8 Program.

9 BY repealing and reenacting, with amendments,  
10 Article – State Personnel and Pensions  
11 Section 30–301(a)  
12 Annotated Code of Maryland  
13 (2009 Replacement Volume and 2011 Supplement)

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

16 **Article – State Personnel and Pensions**

17 30–301.

18 (a) An individual is eligible to participate in the program if the individual is  
19 eligible for membership in a retirement system or a pension system and is:

20 (1) a member of the faculty of an employing institution;

21 (2) a professional employee at a community college or regional  
22 community college established under Title 16 of the Education Article;

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (3)    an employee of the University System of Maryland who is in a  
2 position designated as exempt under a policy adopted by the University System of  
3 Maryland Board of Regents;

4           (4)    an employee of Morgan State University who is in a position  
5 designated as professional or administrative by the Board of Regents of Morgan State  
6 University; [or]

7           (5)    an employee of St. Mary's College of Maryland who is in a position  
8 determined by the Board of Trustees of the College to be a professional or faculty  
9 position; **OR**

10           **(6)    AN EMPLOYEE OF THE MARYLAND HIGHER EDUCATION**  
11 **COMMISSION WHO IS IN A POSITION DETERMINED BY THE SECRETARY OF**  
12 **HIGHER EDUCATION TO BE A PROFESSIONAL POSITION.**

13           SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the  
14 General Assembly that this Act may not be construed to diminish in any way any right  
15 or obligation of any current or former employee of the Maryland Higher Education  
16 Commission who is participating in or has participated in the Optional Retirement  
17 Program established by Title 30 of the State Personnel and Pensions Article.

18           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
19 June 1, 2012.