

SENATE BILL 119

F2

2lr0045

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

Committee Report: Favorable

Senate action: Adopted

Read second time: February 22, 2012

CHAPTER _____

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:

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

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

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

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

10 (5) an employee of St. Mary’s College of Maryland who is in a position
11 determined by the Board of Trustees of the College to be a professional or faculty
12 position; OR

13 (6) AN EMPLOYEE OF THE MARYLAND HIGHER EDUCATION
14 COMMISSION WHO IS IN A POSITION DETERMINED BY THE SECRETARY OF
15 HIGHER EDUCATION TO BE A PROFESSIONAL POSITION.

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

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.