

Chapter 26

(Senate Bill 119)

AN ACT concerning

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

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

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

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

Article – State Personnel and Pensions

30–301.

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

- (1) a member of the faculty of an employing institution;
- (2) a professional employee at a community college or regional community college established under Title 16 of the Education Article;
- (3) an employee of the University System of Maryland who is in a position designated as exempt under a policy adopted by the University System of Maryland Board of Regents;
- (4) an employee of Morgan State University who is in a position designated as professional or administrative by the Board of Regents of Morgan State University; [or]

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

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

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

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

Approved by the Governor, April 10, 2012.