

SB0575/653429/1

BY: Delegate Griffith

AMENDMENTS TO SENATE BILL 575
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 2, after “limitation;” insert “providing that certain retirees of the Judges’ Retirement System are exempt from a certain reemployment earnings limitation after a certain number of years after retirement;”; and after line 24, insert:

“BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 27-406

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

(As enacted by Chapter 688 of the Acts of the General Assembly of 2010)”.

AMENDMENT NO. 2

On page 10, after line 14, insert:

“27-406.

(a) This section does not apply to a retiree who:

(1) is temporarily assigned to sit in a court of this State under the authority of Article IV, § 3A of the Maryland Constitution; or

(2) is employed as a member of the faculty of a public institution of higher education in the State.

(b) Subject to subsection (e) of this section, a retiree may accept employment in which all or part of the compensation for the employment comes from municipal, county, or State funds, if the retiree immediately notifies the Board of Trustees of:

(Over)

- (1) the retiree's intention to accept the employment; and
- (2) the compensation that the retiree will receive.

(c) (1) [The] EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, THE Board of Trustees shall reduce the retirement allowance of a retiree who accepts employment as provided under subsection (b) of this section if the retiree's current employer is any unit of State government and the retiree's employer at the time of the retiree's last separation from employment with the State before the retiree commenced receiving a service retirement allowance was also a unit of State government.

(2) The reduction required under paragraph (1) of this subsection shall equal the amount that the sum of the retiree's annual retirement allowance and the retiree's annual compensation exceeds the amount of the compensation on which the retirement allowance is based.

(3) THE REDUCTION REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY TO AN INDIVIDUAL WHO HAS BEEN RETIRED FOR 5 YEARS, BEGINNING ON JANUARY 1 AFTER THE DATE THE INDIVIDUAL RETIRES.

(d) (1) Subject to paragraph (2) of this subsection, if a retiree accepts employment as allowed by subsection (a) of this section and is subsequently awarded retirement benefits because of that employment, the Board of Trustees shall reduce the retiree's benefits under this subtitle by the amount of the retirement benefits resulting from the subsequent employment if the retiree's current employer is any unit of State government and the retiree's employer at the time of the retiree's last separation from employment with the State before the retiree commenced receiving a service retirement allowance was also a unit of State government.

(2) (i) Any reduction taken to a retiree's allowance under this subsection may not exceed an amount that would reduce the retiree's allowance to less than what is required to be deducted for the retiree's monthly State-approved medical insurance premiums.

(ii) If a reduction for a calendar year taken under subparagraph (i) of this paragraph is less than the reduction required under paragraph (1) of this subsection, the Board of Trustees shall recover from the retiree an amount equal to the reduction required under paragraph (1) of this subsection less the reduction taken under subparagraph (i) of this paragraph.

(e) A retiree may not be employed by the State or other participating employer on a permanent, temporary, or contractual basis within 45 days of the date the individual retired."