

SENATE BILL 1135

K4

7lr3707

By: **Senator Oaks**

Introduced and read first time: February 22, 2017

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Employees' Pension System – Incorrect Enrollments**

3 FOR the purpose of requiring that, if after a certain requested review by the Board of
4 Trustees for the State Retirement and Pension System, an individual is determined
5 by the Board of Trustees to be incorrectly enrolled as a member of the Employees'
6 Pension System, the individual shall be disenrolled; requiring the Board of Trustees,
7 at the request of an incorrectly enrolled individual, to pay the individual certain
8 contributions in accordance with certain provisions of law; requiring the Board of
9 Trustees, at the request of the participating employer of an incorrectly enrolled
10 individual, to determine the amount of contributions that the employer paid on
11 behalf of the individual; providing that the Board of Trustees may make a certain
12 adjustment to the employer's contributions; providing for the termination of this Act;
13 and generally relating to incorrect enrollments in the Employees' Pension System.

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
15 That:

16 (a) This section applies only to an individual who:

17 (1) requests the Board of Trustees for the State Retirement and Pension
18 System to review the individual's status as a member of the Employees' Pension System;
19 and

20 (2) the Board of Trustees determines, in accordance with § 23–205 of the
21 State Personnel and Pensions Article, has been incorrectly enrolled as a member of the
22 Employees' Pension System.

23 (b) An incorrectly enrolled individual shall be disenrolled as soon as practicable
24 after the determination of incorrect enrollment is made by the Board of Trustees.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (c) (1) At the request of an incorrectly enrolled individual, the Board of
2 Trustees shall pay the individual the amount of the individual's accumulated contributions
3 in accordance with § 29–501 of the State Personnel and Pensions Article.

4 (2) For purposes of administering § 29–501 of the State Personnel and
5 Pensions Article, an incorrectly enrolled individual shall be considered to be a member or
6 former member.

7 (d) (1) This subsection does not apply to a participating employer that is a unit
8 of State government.

9 (2) At the request of the participating employer of an incorrectly enrolled
10 individual, the Board of Trustees shall determine the amount of employer contributions
11 that the participating employer paid on behalf of the incorrectly enrolled individual.

12 (3) At the request of the participating employer of an incorrectly enrolled
13 individual, the Board of Trustees may adjust the employer contribution amounts that the
14 participating employer is required to pay for the following fiscal year to compensate the
15 employer for employer contributions paid on behalf of an incorrectly enrolled individual.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
17 1, 2017. It shall remain effective for a period of 1 year and 6 months and, at the end of
18 December 31, 2018, with no further action required by the General Assembly, this Act shall
19 be abrogated and of no further force and effect.