

SENATE BILL 309

P6, P4

3lr1247

By: **Senator West**

Introduced and read first time: January 27, 2023

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **State Employment – Local School Employees – Clarification**

3 FOR the purpose of prohibiting an individual from being deemed an employee of the State
4 by reason of the individual's status as a member of the Teachers' Retirement System
5 or the Teachers' Pension System; and generally relating to employment by local
6 governments.

7 BY repealing and reenacting, without amendments,
8 Article – State Personnel and Pensions
9 Section 22–102 and 23–101
10 Annotated Code of Maryland
11 (2015 Replacement Volume and 2022 Supplement)

12 BY adding to
13 Article – State Personnel and Pensions
14 Section 22–103 and 23–102
15 Annotated Code of Maryland
16 (2015 Replacement Volume and 2022 Supplement)

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

19 **Article – State Personnel and Pensions**

20 22–102.

21 This title applies to:

22 (1) the Employees' Retirement System; and

23 (2) the Teachers' Retirement System.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **22-103.**

2 **AN INDIVIDUAL MAY NOT BE DEEMED AN EMPLOYEE OF THE STATE BY**
3 **REASON OF THE INDIVIDUAL'S STATUS AS A MEMBER OF THE TEACHERS'**
4 **RETIREMENT SYSTEM.**

5 23-101.

6 This title applies only to:

7 (1) the Employees' Pension System; and

8 (2) the Teachers' Pension System.

9 **23-102.**

10 **AN INDIVIDUAL MAY NOT BE DEEMED AN EMPLOYEE OF THE STATE BY**
11 **REASON OF THE INDIVIDUAL'S STATUS AS A MEMBER OF THE TEACHERS' PENSION**
12 **SYSTEM.**

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is intended to clarify
14 existing law and is not intended to alter the legal status of any individuals or positions.

15 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
16 1, 2023.