

and elected officials and certain unclassified employees of the State.

BY repealing and reenacting, with amendments,

Article 73B - Pensions  
Section 11(12) and 117(13)  
Annotated Code of Maryland  
(1988 Replacement Volume and 1988 Supplement)

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

Article 73B - Pensions

11.

(12) [(a) Notwithstanding anything to the contrary in this article, if any person, while being a member of the State Employees' Retirement System, has been or may hereafter be appointed or elected to any State office, or promoted by an express appointment by the appointing authority with the express concurrence of the Secretary of Personnel to any position within the State government which is not a part of the classified service and which is not covered by the provisions of Article 64A (Merit System), for a fixed or indefinite term and not be continued in office after serving in such position for a period of one (1) year, reappointed or reelected, provided that the termination of employment was involuntary, except for officials elected or appointed prior to July 22, 1981, as determined by the Secretary of Personnel, after the completion of sixteen years of creditable service, regardless of age, such member may elect, in lieu of the withdrawal of his accumulated contributions, to have such contributions paid to him in an annuity of equivalent actuarial value, in which event he shall also be paid a pension equal to the ordinary disability pension that would have been payable at such time had he been retired on an ordinary disability retirement; and if any person, while being a member of said retirement system, shall vacate his position by reason of the termination of his tenure by act of the General Assembly after said person has twenty years of creditable service, regardless of age, he may elect to receive the allowance for service retirement in lieu of the withdrawal of his accumulated contributions. The board of trustees shall include any additional amount required to pay such pension in the amount certified to the Governor as required by § 14(4) of this article.]

(A) IN THIS SUBSECTION, "APPOINTED OFFICIAL" MEANS AN INDIVIDUAL APPOINTED TO A PUBLIC OFFICE OF THE STATE WHO MEETS THE LEGAL CRITERIA FOR AN APPOINTED OFFICIAL AS DETERMINED BY THE OFFICE OF THE ATTORNEY GENERAL.