

(As enacted by Chapter \_\_\_\_ (S.B. 1) of the Acts of the General Assembly of 1994)

BY repealing and reenacting, with amendments,

Article – Estates and Trusts

Section 2-108(y)

Annotated Code of Maryland

(1991 Replacement Volume and 1993 Supplement)

BY renumbering

Article – State Personnel and Pensions

Section 22-408 and 23-409, respectively

to be Section 22-407 and 23-408, respectively

Annotated Code of Maryland

(1993 Volume)

(As enacted by Chapter \_\_\_\_ (S.B. 1) of the Acts of the General Assembly of 1994)

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

**Article – State Personnel and Pensions**

22-406.

(a) Subject to subsection (b) of this section, a retiree who is receiving a service retirement allowance may accept employment with a participating employer on a PERMANENT, temporary, or contractual basis, without any reduction in retirement allowance, if the retiree immediately notifies the Board of Trustees:

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

(b) (1) This subsection does not apply to:

(I) a retiree who has been retired for more than 10 years; OR

(II) A RETIREE WHOSE AVERAGE FINAL COMPENSATION WAS LESS THAN \$10,000 AND WHO IS REEMPLOYED ON A TEMPORARY OR CONTRACTUAL BASIS.

(2) The Board of Trustees shall reduce a retiree's retirement allowance by the amount that the sum of the retiree's annual basic allowance, at the time of retirement, and the retiree's annual compensation exceeds the average final compensation used to compute the basic allowance.

(C) A REEMPLOYED RETIREE WHO IS RECEIVING A SERVICE RETIREMENT ALLOWANCE MAY NOT RECEIVE CREDITABLE SERVICE OR ELIGIBILITY SERVICE DURING THE PERIOD OF REEMPLOYMENT.