

~~16-306.~~

~~(a) In this section, "Agency" means the State Retirement Agency.~~

~~(b) The Agency may at any time examine the records of public junior or community colleges to determine whether the State's payments for retirement contributions for employees of the public junior or community colleges are in accordance with the provisions of Division II of the State Personnel and Pensions Article.~~

~~(c) (1) (i) If an examination of the records of a public junior or community college shows that the State has paid more than is required under Division II of the State Personnel and Pensions Article, within 30 days after the date of the notice to the junior or community college of the State overpayment, the junior or community college may appeal the notice of State overpayment to the Secretary of Budget and Management who shall appoint a hearing examiner.~~

~~(ii) The hearing examiner shall make recommendations to the Secretary of Budget and Management who shall make a final determination regarding the amount, if any, of the State overpayment.~~

~~(2) If a public junior or community college does not appeal to the Secretary of Budget and Management or if the Secretary of Budget and Management determines that the State is due reimbursement for excess payments, as provided in paragraph (1) of this subsection, at the request of the Agency the moneys owed shall be deducted from any other State funds that would otherwise be paid to the public junior or community college.~~

~~(3) For purposes of the Administrative Procedure Act, an appeal taken under this section is not a contested case.~~

~~(d) Any reimbursements which result from audits under this section:~~

~~(1) Shall be applied first to reimburse the Agency for the expenses of the audits; and~~

~~(2) After reimbursement to the Agency under item (1) of this subsection, shall be credited to the General Fund.~~

~~(E) THE AGENCY MAY NOT SEEK REIMBURSEMENT FOR RETIREMENT CONTRIBUTIONS MADE AFTER JUNE 30, 2000, ON THE BASIS THAT THE SALARY OF AN ELIGIBLE MEMBER OF THE TEACHERS' RETIREMENT SYSTEM OR TEACHERS' PENSION SYSTEM IS PAID IN PART OR IN WHOLE FROM:~~

~~(1) STATE AID, WHETHER GENERAL OR CATEGORICAL IN NATURE, OR~~

~~(2) FEDERAL FUNDS, WHETHER PAID DIRECTLY TO A PUBLIC JUNIOR OR COMMUNITY COLLEGE OR PASSED THROUGH A UNIT OF STATE GOVERNMENT.~~

~~23-504.~~

~~(a) In this section, "Agency" means the State Retirement Agency.~~