

Senate Bill No. 235

AN ACT concerning

Retirement and Pension Systems – Retired Members – Reemployment as Elected Official or Constitutional Officer for a County

FOR the purpose of exempting certain members of the Employees' Retirement System of the State of Maryland, the Teachers' Retirement System of the State of Maryland, the Pension System for Employees of the State of Maryland, or the Pension System for Teachers of the State of Maryland from certain restrictions on retirement benefits upon reemployment under certain circumstances; providing for the construction of this Act; and generally relating to retirement benefits for reemployed members of certain of the Maryland State Retirement and Pension Systems.

Preamble

WHEREAS, Article 73B, §§ 11(15)(b), 86(9)(b), 117(14)(b), and 145(13)(b) of the Annotated Code provide for reemployment of a member of the Employees' Retirement System of the State of Maryland, the Teachers' Retirement System of the State of Maryland, the Pension System for Employees of the State of Maryland, and the Pension System for Teachers of the State of Maryland, respectively; and

WHEREAS, Each of those provisions requires that if a retired member is reemployed in a permanent position with a participating municipal corporation, that member's retirement allowance payments shall be suspended until the member's later retirement; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the provisions of Article 73B – Pensions, §§ 11(15)(b), 86(9)(b), 117(14)(b), and 145(13)(b) of the Annotated Code of Maryland do not apply to a retired member who, on June 1, 1991, is serving in an elected position, ~~except as county executive~~, as an official of a participating municipal corporation as defined in Article 73B, § 163(d) of the Code or as a constitutional officer for a county that is a participating municipal corporation.

SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that this Act shall be construed both retroactively and prospectively and shall apply to, and be interpreted to have an effect upon, any retired member of the Employees' Retirement System of the State of Maryland, the Teachers' Retirement System of the State of Maryland, the Pension System for Employees of the State of Maryland, or the Pension System for Teachers of the State of Maryland who is reemployed in an elected position of a participating municipal corporation or as a constitutional officer for a county that is a participating municipal corporation and who is serving in that position on June 1, 1991.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1991.