

DELINQUENT PAYMENT MAY BE COLLECTED BY THE STATE RETIREMENT AGENCY IN THE MANNER SET FORTH IN §§ 5-202.1, 16-403.3, AND 23-403.1 OF THE EDUCATION ARTICLE FOR RECOVERY OF DELINQUENT SOCIAL SECURITY PAYMENTS.

COMMITTEE NOTE: This section formerly appeared as Art. 73B, §§ 13(3), 89(2)(g), and 160(1) through (11).

In subsections (a) and (l) of this section, the term "Maryland" is deleted as redundant.

The only other changes are stylistic.

1-105. EMPLOYERS.

(A) IT SHALL BE THE DUTY OF EACH EMPLOYER TO SUBMIT TO THE BOARD OF TRUSTEES A STATEMENT SHOWING THE NAME, TITLE, COMPENSATION, DUTIES, DATE OF BIRTH, AND LENGTH OF SERVICE OF EACH MEMBER AND INFORMATION REGARDING OTHER EMPLOYEES OF THE EMPLOYER AS THE BOARD OF TRUSTEES MAY REQUIRE.

(B) EACH EMPLOYER SHALL CERTIFY TO THE BOARD OF TRUSTEES ON EACH AND EVERY PAYROLL, OR IN SUCH OTHER MANNER AS THE BOARD OF TRUSTEES MAY PRESCRIBE, THE EMPLOYEE CONTRIBUTIONS MADE BY DEDUCTION FROM THE COMPENSATION OF EACH OF ITS EMPLOYEES WHO IS A MEMBER OF A SYSTEM OR MADE UNDER A DULY APPROVED EMPLOYER PICKUP PROGRAM. THE EMPLOYEE CONTRIBUTIONS SHALL BE PAID INTO THE ANNUITY SAVINGS FUND, AND SHALL BE CREDITED, TOGETHER WITH REGULAR INTEREST THEREON, TO THE INDIVIDUAL ACCOUNT OF THE MEMBER FROM WHOSE COMPENSATION THE EMPLOYEE CONTRIBUTION IS MADE.

(C) (1) ANY EMPLOYER FAILING TO PAY TO THE RETIREMENT SYSTEM THE EMPLOYEE CONTRIBUTIONS ON THE DATE THE EMPLOYEES ARE PAID SHALL BE LIABLE FOR A PENALTY OF 10 PERCENT OF THE AMOUNTS DUE.

(2) THE SECRETARY OF THE BOARD, HOWEVER, MAY ALLOW A GRACE PERIOD NOT TO EXCEED 10 ADDITIONAL CALENDAR DAYS.

(3) ALL AMOUNTS DUE AND UNPAID ON THE DATE OF PAYMENT SHALL ALSO BEAR INTEREST AT THE RATE OF 10 PERCENT UNTIL THE DATE OF PAYMENT.

(4) THE STATE COMPTROLLER, UPON NOTIFICATION BY THE SECRETARY THAT A DELINQUENCY EXISTS, SHALL IMMEDIATELY EXERCISE THE RIGHT OF SETOFF AGAINST ALL OR ANY MONEYS DUE OR TO BECOME DUE TO THE DELINQUENT EMPLOYER.

COMMITTEE NOTE: This section formerly appeared as Art. 73B, §§ 3(4) and 14(1)(c).