

CHAPTER 318

(House Bill 454)

AN ACT concerning

Pensions and Retirement – Disability Retirement Allowances

FOR the purpose of altering the method of calculating certain disability retirement allowances of certain members of systems of the Maryland State Retirement and Pension Systems; declaring the legislative intent and providing for the construction of this Act; making stylistic changes; and generally relating to disability retirement allowances of members of systems of the Maryland State Retirement and Pension Systems.

BY repealing and reenacting, with amendments,

Article 73B – Pensions

Section 2-404(a)(2) and (b)(2), 3-404(a)(2) and (b)(2), 4-404(b)(4), 5-404(b)(4), 6-403(a)(2) and (b)(2), 7-404(a)(2) and (b)(2), 8-402(a)(4), and 10-218(b)(2) and (d)

Annotated Code of Maryland

(1988 Replacement Volume and 1991 Supplement)

(As enacted by Chapter ____ (H.B. 219) of the Acts of the General Assembly of 1992)

Preamble

WHEREAS, In 1990 the federal government enacted the Older Workers Benefit Protection Act that amends the Age Discrimination in Employment Act; and

WHEREAS, The Older Workers Benefit Protection Act requires that by October 16, 1992, retirement and pension systems of State and local governments eliminate age distinctions in the computation of disability retirement allowances for members of those retirement and pension systems; and

WHEREAS, Certain provisions of State law pertaining to the Maryland State Retirement and Pension Systems currently provide for different computations of disability retirement allowances on the basis of age; and

WHEREAS, If State law provides that members of the Maryland State Retirement and Pension Systems who are disabled and have reached their normal retirement age receive the greater of a disability retirement allowance or service retirement allowance the State systems would then be in compliance with the Older Workers Benefit Protection Act; now, therefore,

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