

# HOUSE BILL 339

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0lr2051  
CF SB 42

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By: **Caroline County Delegation**

Introduced and read first time: January 27, 2010

Assigned to: Appropriations

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Committee Report: Favorable

House action: Adopted

Read second time: February 19, 2010

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Caroline County – Orphans’ Court Judges – Pensions**

3 FOR the purpose of removing Caroline County from the list of counties that are  
4 excepted from the requirement to pay a certain pension to each judge of the  
5 Orphans’ Court under certain circumstances.

6 BY repealing and reenacting, with amendments,  
7 Article – Estates and Trusts  
8 Section 2–108(y)  
9 Annotated Code of Maryland  
10 (2001 Replacement Volume and 2009 Supplement)

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

13 **Article – Estates and Trusts**

14 2–108.

15 (y) (1) Except in Montgomery, Frederick, Carroll, Talbot, [Caroline,]  
16 Cecil, Kent, Queen Anne’s, Baltimore, Garrett, and Harford counties and Baltimore  
17 City, and except as provided in paragraphs (3) and (4) of this subsection, a county  
18 shall pay a pension, in the same manner as salaries are paid during active service, to  
19 each judge of the Orphans’ Court who:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



- 1 (i) Has terminated active service;
- 2 (ii) Has reached 60 years of age; and
- 3 (iii) Has completed at least two terms of office.

4 (2) Except as provided in paragraph (5) of this subsection, the salary  
5 or pension shall be the greater of:

6 (i) \$1,200 annually; or

7 (ii) An annual amount calculated at the rate of 4 percent of the  
8 last annual amount of compensation multiplied by the number of years or partial  
9 years of service, not exceeding 12 years.

10 (3) An Orphans' Court judge in Somerset County and Worcester  
11 County is eligible for a pension under this subsection only if he is in office on or before  
12 July 1, 1979.

13 (4) In Wicomico County, an Orphans' Court judge who has completed  
14 at least 12 years in office is eligible for a pension under this subsection.

15 (5) In Prince George's County, the salary or pension to each Orphans'  
16 Court judge shall be the greater of:

17 (i) \$1,200 annually; or

18 (ii) An annual amount calculated at the rate of 4 percent of the  
19 last annual amount of compensation multiplied by the number of years or partial  
20 years of service, not exceeding 20 years.

21 (6) The pension or salary may be suspended during any month the  
22 judge is a full-time employee of any county or of this State.

23 (7) Notwithstanding any provision of this section an Orphans' Court  
24 judge may not receive a pension under this section if he is receiving any other State  
25 pension based on service as an Orphans' Court judge.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
27 July 1, 2010.