

SENATE BILL 497

K4

2lr2291
CF HB 630

By: **Senators Jones–Rodwell, Currie, DeGrange, Madaleno, McFadden, and Robey**

Introduced and read first time: February 2, 2012

Assigned to: Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 17, 2012

CHAPTER _____

1 AN ACT concerning

2 **Employees' Retirement and Pension Systems – Reemployment of Retirees –**
3 **Parole and Probation Employees**

4 FOR the purpose of exempting certain individuals who are retirees of the Employees'
5 Retirement System or the Employees' Pension System from certain earnings
6 offsets under certain circumstances if the individuals are reemployed as parole
7 and probation employees; requiring the Secretary of Public Safety and
8 Correctional Services to submit a certain report on certain retirees on or before
9 a certain date; and generally relating to reemployment of certain retirees of the
10 Employees' Retirement System or Employees' Pension System.

11 BY repealing and reenacting, with amendments,
12 Article – State Personnel and Pensions
13 Section 22–406(c)(4)(viii) and (ix) and 23–407(c)(4)(vi) and (vii)
14 Annotated Code of Maryland
15 (2009 Replacement Volume and 2011 Supplement)

16 BY adding to
17 Article – State Personnel and Pensions
18 Section 22–406(c)(4)(x) and (p) and 23–407(c)(4)(viii) and (p)
19 Annotated Code of Maryland
20 (2009 Replacement Volume and 2011 Supplement)

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

3 **Article – State Personnel and Pensions**

4 22–406.

5 (c) (4) Except for an individual whose allowance is subject to a reduction
6 as provided under paragraphs (1)(iii) and (3) of this subsection, the reduction of an
7 allowance under this subsection does not apply to:

8 (viii) a retiree of the Employees’ Retirement System who is
9 reemployed on a contractual basis by the Department of Health and Mental Hygiene
10 as a health care practitioner, as defined in § 1–301 of the Health Occupations Article,
11 in:

12 1. a State residential center as defined in § 7–101 of the
13 Health – General Article;

14 2. a chronic disease center subject to Title 19, Subtitle 5
15 of the Health – General Article;

16 3. a State facility as defined in § 10–101 of the
17 Health – General Article; or

18 4. a local health department subject to Title 3, Subtitle 2
19 of the Health – General Article; [or]

20 (ix) a retiree of the Employees’ Retirement System and the
21 Judges’ Retirement System who is temporarily assigned to sit in a court of this State
22 under the authority of Article IV, § 3A of the Maryland Constitution; **OR**

23 **(X) A RETIREE OF THE EMPLOYEES’ RETIREMENT SYSTEM**
24 **WHO IS REEMPLOYED ON A CONTRACTUAL BASIS FOR NOT MORE THAN 4 YEARS**
25 **AS A PAROLE AND PROBATION EMPLOYEE ~~AS DESCRIBED IN § 6-108~~ IN A**
26 **POSITION AUTHORIZED UNDER TITLE 6, SUBTITLE 1 OF THE CORRECTIONAL**
27 **SERVICES ARTICLE.**

28 **(P) ON OR BEFORE SEPTEMBER 1 OF EACH YEAR, THE SECRETARY OF**
29 **PUBLIC SAFETY AND CORRECTIONAL SERVICES SHALL SUBMIT A REPORT IN**
30 **ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE TO THE**
31 **JOINT COMMITTEE ON PENSIONS THAT PROVIDES:**

32 **(1) THE NUMBER OF REHIRED RETIREES UNDER SUBSECTION**
33 **(C)(4)(X) OF THIS SECTION;**

1 **(2) THE ANNUAL SALARY OF EACH REHIRED RETIREE AT THE**
 2 **TIME OF RETIREMENT AND THE CURRENT ANNUAL SALARY OF EACH REHIRED**
 3 **RETIREE;**

4 **(3) THE NUMBER OF PAROLE AND PROBATION EMPLOYEES HIRED**
 5 **WHO ARE NOT RETIREES; AND**

6 **(4) THE ANNUAL SALARY OF EACH PAROLE AND PROBATION**
 7 **EMPLOYEE WHO IS HIRED.**

8 23-407.

9 (c) (4) Except for an individual whose allowance is subject to a reduction
 10 as provided under paragraphs (1)(iii) and (3) of this subsection, the reduction of an
 11 allowance under this subsection does not apply to:

12 (vi) a retiree of the Employees' Pension System who is
 13 reemployed on a contractual basis by the Department of Health and Mental Hygiene
 14 as a health care practitioner, as defined in § 1-301 of the Health Occupations Article
 15 in:

16 1. a State residential center as defined in § 7-101 of the
 17 Health – General Article;

18 2. a chronic disease center subject to Title 19, Subtitle 5
 19 of the Health – General Article;

20 3. a State facility as defined in § 10-101 of the
 21 Health – General Article; or

22 4. a local health department subject to Title 3, Subtitle 2
 23 of the Health – General Article; [or]

24 (vii) a retiree of the Employees' Pension System and the Judges'
 25 Retirement System who is temporarily assigned to sit in a court of this State under
 26 the authority of Article IV, § 3A of the Maryland Constitution; **OR**

27 **(VIII) A RETIREE OF THE EMPLOYEES' PENSION SYSTEM WHO**
 28 **IS REEMPLOYED ON A CONTRACTUAL BASIS FOR NOT MORE THAN 4 YEARS AS A**
 29 **PAROLE AND PROBATION EMPLOYEE AS DESCRIBED IN § 6-108 IN A POSITION**
 30 **AUTHORIZED UNDER TITLE 6, SUBTITLE 1 OF THE CORRECTIONAL SERVICES**
 31 **ARTICLE.**

32 **(P) ON OR BEFORE SEPTEMBER 1 OF EACH YEAR, THE SECRETARY OF**
 33 **PUBLIC SAFETY AND CORRECTIONAL SERVICES SHALL SUBMIT A REPORT IN**

1 ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE TO THE
2 JOINT COMMITTEE ON PENSIONS THAT PROVIDES:

3 (1) THE NUMBER OF REHIRED RETIREES UNDER SUBSECTION
4 (C)(4)(VIII) OF THIS SECTION;

5 (2) THE ANNUAL SALARY OF EACH REHIRED RETIREE AT THE
6 TIME OF RETIREMENT AND THE CURRENT ANNUAL SALARY OF EACH REHIRED
7 RETIREE;

8 (3) THE NUMBER OF PAROLE AND PROBATION EMPLOYEES HIRED
9 WHO ARE NOT RETIREES; AND

10 (4) THE ANNUAL SALARY OF EACH PAROLE AND PROBATION
11 EMPLOYEE WHO IS HIRED.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 July 1, 2012.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.