

HOUSE BILL 866

K4

11r1640

By: **Delegate Stein**

Introduced and read first time: February 11, 2011

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Employees' Retirement System – Purchase of Service Credit – Former**
3 **Members**

4 FOR the purpose of providing that certain former members of the Employees'
5 Retirement System may purchase certain service credit in the Employees'
6 Retirement System; requiring certain former members of the Employees'
7 Retirement System who choose to purchase certain service credit to pay to the
8 Board of Trustees of the State Retirement and Pension System a certain
9 amount for that service credit; requiring certain former members of the
10 Employees' Retirement System to complete certain claims and make certain
11 purchases for certain service to the Board of Trustees on or before a certain
12 date; clarifying that, if certain service credit is purchased by certain members of
13 the Employees' Retirement System, other service credit must be purchased;
14 clarifying that, if certain service credit is purchased by certain members of the
15 Employees' Retirement System, other service credit is not required to be
16 purchased; providing for the termination of this Act; and generally relating to
17 the purchase of service credit in the Employees' Retirement System by former
18 members of the Employees' Retirement System.

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
20 MARYLAND, That:

21 (a) This section applies to any individual who:

22 (1) on or after September 1, 1971, began State employment as an
23 Assistant Attorney General;

24 (2) at the time the individual was initially employed as an Assistant
25 Attorney General, did not join the Employees' Retirement System under Title 22 of the
26 State Personnel and Pensions Article;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (3) on or after May 1, 1976, was enrolled as a member of the
2 Employees' Retirement System under Title 22 of the State Personnel and Pensions
3 Article; and

4 (4) on or before January 1, 1982, ended State employment.

5 (b) An individual described under subsection (a) of this section may elect to
6 purchase service credit in the Employees' Retirement System for the period of time
7 from September 1, 1971, through April 30, 1976, when the individual was employed as
8 an Assistant Attorney General.

9 (c) An individual described under subsection (a) of this section who elects to
10 purchase service credit in the Employees' Retirement System under subsection (b) of
11 this section shall pay to the Board of Trustees of the State Retirement and Pension
12 System:

13 (1) for the period of time from September 1, 1971, through August 31,
14 1973:

15 (i) the member contributions that would have been paid by a
16 member of the Employees' Retirement System for the period of time the individual
17 was employed as an Assistant Attorney General, plus regular interest as provided
18 under § 22-215 of the State Personnel and Pensions Article to the date of payment;
19 and

20 (ii) the employer contributions that would have been paid by the
21 State to the Employees' Retirement System for the period of time the individual was
22 employed as an Assistant Attorney General, plus regular interest as provided under §
23 22-215 of the State Personnel and Pensions Article to the date of payment; and

24 (2) for the period of time from September 1, 1973, through April 30,
25 1976, the member contributions that would have been paid by a member of the
26 Employees' Retirement System for the period of time the individual was employed as
27 an Assistant Attorney General, plus regular interest as provided under § 22-215 of the
28 State Personnel and Pensions Article to the date of payment.

29 (d) (1) Subject to paragraph (2) of this subsection, to purchase service
30 credit under subsection (b) of this section, on or before December 31, 2011, an
31 individual described under subsection (a) of this section:

32 (i) shall complete a claim for the service credit and file it with
33 the Board of Trustees on a form that the Board of Trustees provides;

34 (ii) shall pay to the Board of Trustees an amount equal to the
35 amount determined under subsection (c)(1) of this section; and

36 (iii) shall pay to the Board of Trustees an amount equal to the
37 amount determined under subsection (c)(2) of this section.

1 (2) (i) An individual described in subsection (a) of this section who
2 elects to pay for service credit under paragraph (1)(ii) of this subsection is required to
3 pay for service credit under paragraph (1)(iii) of this subsection.

4 (ii) An individual described in subsection (a) of this section who
5 elects to pay for service credit under paragraph (1)(iii) of this subsection is not
6 required to pay for service credit under paragraph (1)(ii) of this subsection.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 July 1, 2011. It shall remain effective for a period of 6 months and, at the end of
9 December 31, 2011, with no further action required by the General Assembly, this Act
10 shall be abrogated and of no further force and effect.