

SENATE BILL 143

P6

4lr0431

(PRE-FILED)

By: **Senator Gallion**

Requested: June 1, 2023

Introduced and read first time: January 10, 2024

Assigned to: Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 10, 2024

CHAPTER _____

1 AN ACT concerning

2 **Teachers' Retirement and Pension Systems – Reemployment**

3 FOR the purpose of clarifying a certain exemption from a certain reemployment offset for
4 retirees of the Teachers' Retirement System and Teachers' Pension System who are
5 reemployed by a local school system under certain conditions; providing for the
6 retroactive application of this Act; and generally relating to reemployment of retirees
7 of the Teachers' Retirement System and Teachers' Pension System.

8 BY repealing and reenacting, without amendments,

9 Article – State Personnel and Pensions

10 Section 22–406(c)(4)(xi) and (8)(ii) and 23–407(c)(4)(ix) and (8)(ii)

11 Annotated Code of Maryland

12 (2015 Replacement Volume and 2023 Supplement)

13 BY repealing and reenacting, with amendments,

14 Article – State Personnel and Pensions

15 Section 22–406(c)(8)(i) and 23–407(c)(8)(i)

16 Annotated Code of Maryland

17 (2015 Replacement Volume and 2023 Supplement)

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

20 **Article – State Personnel and Pensions**

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 22-406.

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

5 (xi) a retiree of the Teachers' Retirement System who is reemployed
6 by a local school system or the Maryland School for the Deaf and is rehired in accordance
7 with paragraph (8) of this subsection; or

8 (8) (i) In addition to any individuals rehired in accordance with
9 paragraph (5) of this subsection, and subject to subparagraph (ii) of this paragraph, each
10 superintendent of a local school system and the superintendent of the Maryland School for
11 the Deaf may rehire a maximum of five individuals who are retirees of the Teachers'
12 Retirement System in any position [at any school] in the superintendent's local school
13 system or the Maryland School for the Deaf.

14 (ii) The number of individuals rehired under subparagraph (i) of this
15 paragraph for each local school system or the Maryland School for the Deaf may not exceed
16 a total of five retirees at any one time when added to the number of individuals rehired
17 under § 23-407(c)(8)(i) of this article for that same local school system or the Maryland
18 School for the Deaf.

19 23-407.

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

23 (ix) a retiree of the Teachers' Pension System who is reemployed by
24 a local school system or the Maryland School for the Deaf and is rehired in accordance with
25 paragraph (8) of this subsection; or

26 (8) (i) In addition to any individuals rehired in accordance with
27 paragraph (5) of this subsection, and subject to subparagraph (ii) of this paragraph, each
28 superintendent of a local school system and the superintendent of the Maryland School for
29 the Deaf may rehire a maximum of five individuals who are retirees of the Teachers'
30 Pension System in any position [at any school] in the superintendent's local school system
31 or the Maryland School for the Deaf.

32 (ii) The number of individuals rehired under subparagraph (i) of this
33 paragraph for each local school system or the Maryland School for the Deaf may not exceed
34 a total of five retirees at any one time when added to the number of individuals rehired
35 under § 22-406(c)(8)(i) of this article for that same local school system or the Maryland
36 School for the Deaf.

1 SECTION 2. AND BE IT FURTHER ENACTED, That ~~this Act shall be construed to~~
2 ~~apply retroactively and shall be applied to and interpreted to affect retirees of the Teachers'~~
3 ~~Retirement System or Teachers' Pension System reemployed on or after January 1, 2020;~~

4 (a) This section applies to a retiree of the Teachers' Pension System who:

5 (1) following retirement, was reemployed by the Harford County Board of
6 Education in a position located within the Payroll Department of the Harford County Board
7 of Education; and

8 (2) in calendar year 2022 or 2023, exceeded the retiree's earnings
9 limitation as calculated under § 23-407 of the State Personnel and Pensions Article, as
10 enacted by Section 1 of this Act.

11 (b) This Act shall be construed to apply retroactively and shall be applied to and
12 interpreted to affect a retiree described under subsection (a) of this section.

13 (c) If, on or before July 1, 2024, the Board of Trustees for the State Retirement
14 and Pension System has offset the retirement benefits of a retiree described under
15 subsection (a) of this section during calendar years 2023 or 2024 due to the retiree
16 exceeding the earnings limitation, the Board of Trustees shall refund the offset to the
17 retiree on or before December 31, 2024.

18 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
19 1, 2024.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.