

# HOUSE BILL 1264

K4  
HB 572/12 – APP

3lr2813

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By: Delegates George, Afzali, Arora, Aumann, Barkley, Barnes, Barve, Bates, Beidle, Beitzel, Bohanan, Clagett, Donoghue, Eckardt, Elliott, Frank, Frush, Glenn, Haddaway–Ricchio, Hogan, Hough, Ivey, Jacobs, Jameson, Kach, K. Kelly, Kipke, Kramer, Krebs, McComas, McConkey, McDermott, McMillan, Minnick, Myers, O'Donnell, Olszewski, Otto, Ready, Reznik, Schuh, Serafini, Sophocleus, Stocksdale, Szeliga, Vitale, Walker, A. Washington, Weir, Wood, and Zucker

Introduced and read first time: February 8, 2013

Assigned to: Appropriations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Task Force to Study Forfeiture of Retirement Benefits for Public Officials**  
3 **Charged with or Convicted of a Crime**

4 FOR the purpose of establishing the Task Force to Study Forfeiture of Retirement  
5 Benefits for Public Officials Charged with or Convicted of a Crime; providing for  
6 the composition, chair, and staffing of the Task Force; prohibiting a member of  
7 the Task Force from receiving certain compensation, but authorizing the  
8 reimbursement of certain expenses; requiring the Task Force to study and make  
9 recommendations regarding certain matters; requiring the Task Force to report  
10 its findings and recommendations to the Senate Budget and Taxation  
11 Committee, the House Appropriations Committee, and the Joint Committee on  
12 Pensions on or before a certain date; providing for the termination of this Act;  
13 and generally relating to the Task Force to Study Forfeiture of Retirement  
14 Benefits for Public Officials Charged with or Convicted of a Crime.

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
16 MARYLAND, That:

17 (a) There is a Task Force to Study Forfeiture of Retirement Benefits for  
18 Public Officials Charged with or Convicted of a Crime.

19 (b) The Task Force consists of the following members:

20 (1) two members of the Senate of Maryland, appointed by the  
21 President of the Senate;

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (2)   two members of the House of Delegates, appointed by the Speaker  
2 of the House;

3           (3)   the Executive Director of the State Retirement Agency or the  
4 Executive Director's designee;

5           (4)   the Executive Director of the State Ethics Commission, or the  
6 Executive Director's designee;

7           (5)   one member of the Board of Governors of the Maryland State Bar  
8 Association, appointed by the President of the Maryland State Bar Association;

9           (6)   one representative of the Maryland Attorney General's Office,  
10 appointed by the Attorney General;

11           (7)   the Executive Director of the Maryland Association of Counties, or  
12 the Executive Director's designee; and

13           (8)   the Executive Director of the Maryland Municipal League, or the  
14 Executive Director's designee.

15           (c)   The President of the Senate and the Speaker of the House jointly shall  
16 designate the chair of the Task Force.

17           (d)   The Department of Legislative Services shall provide staff for the Task  
18 Force.

19           (e)   A member of the Task Force:

20               (1)   may not receive compensation as a member of the Task Force; but

21               (2)   is entitled to reimbursement for expenses under the Standard  
22 State Travel Regulations, as provided in the State budget.

23           (f)   The Task Force shall:

24               (1)   study the possible forfeiture or suspension of retirement benefits  
25 for public officials when charged with or convicted of a criminal act, including:

26                   (i)   the circumstances under which retirement benefits should  
27 be subject to forfeiture or suspension;

28                   (ii)  the public officials that should be subject to possible  
29 forfeiture or suspension of benefits;

1                   (iii) the process for making a determination to suspend or forfeit  
2 retirement benefits; and

3                   (iv) the process for notifying the appropriate agency if a  
4 determination is made to suspend or forfeit retirement benefits; and

5                   (2) make recommendations regarding the forfeiture or suspension of  
6 retirement benefits for public officials charged with or convicted of a criminal act.

7                   (g) On or before November 30, 2013, the Task Force shall report its findings  
8 and recommendations to the Senate Budget and Taxation Committee, the House  
9 Appropriations Committee, and the Joint Committee on Pensions, in accordance with  
10 § 2-1246 of the State Government Article.

11                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
12 June 1, 2013. It shall remain effective for a period of 1 year and 1 month and, at the  
13 end of June 30, 2014, with no further action required by the General Assembly, this  
14 Act shall be abrogated and of no further force and effect.