

SENATE BILL 364

K4

5lr1205

By: **Senator Kasemeyer**

Introduced and read first time: February 6, 2015

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Alternate Contributory Pension Selection – Return to Employment**

3 FOR the purpose of allowing an individual to resume participation in the Alternate
4 Contributory Pension Selection in the Employees' Pension System or Teachers'
5 Pension System if the individual has been separated from employment for a certain
6 period, has accrued a certain amount of eligibility service by a certain date, and by a
7 certain date has returned to employment in a position included in the Employees'
8 Pension System or Teachers' Pension System; and generally relating to participation
9 in the Alternate Contributory Pension Selection in the Employees' Pension System
10 and Teachers' Pension System.

11 BY repealing and reenacting, with amendments,
12 Article – State Personnel and Pensions
13 Section 23–215.1
14 Annotated Code of Maryland
15 (2009 Replacement Volume and 2014 Supplement)

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

18 **Article – State Personnel and Pensions**

19 23–215.1.

20 (a) This section applies to a member who:

21 (1) on or before June 30, 2011, is subject to the Alternate Contributory
22 Pension Selection;

23 (2) (i) is separated from employment for 4 years or less; [or]

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) 1. is separated from employment for more than 4 years for
2 military service that meets the requirements of the federal Uniformed Services
3 Employment and Reemployment Rights Act; and

4 2. resumes employment within 1 year of leaving military
5 service in a position that is included in the Employees' Pension System or Teachers' Pension
6 System; OR

7 (III) 1. IS SEPARATED FROM EMPLOYMENT FOR MORE THAN
8 4 YEARS; AND

9 2. ON OR BEFORE JUNE 30, 2011, ACCRUES THE
10 MINIMUM ELIGIBILITY SERVICE NEEDED TO BE ELIGIBLE FOR A VESTED
11 ALLOWANCE UNDER TITLE 29, SUBTITLE 3 OF THIS ARTICLE;

12 (3) does not withdraw the member's accumulated contributions; and

13 (4) does not become a retiree.

14 (b) A member described in subsection (a) of this section who on or before June 30,
15 2016, resumes employment in a position that is included in the Employees' Pension System
16 or Teachers' Pension System, shall resume participation in the Alternate Contributory
17 Pension Selection if the employer participates in the Alternate Contributory Pension
18 Selection.

19 (c) On or before October 1, 2012, and each October 1 through October 1, 2016, the
20 Board of Trustees shall submit a report in accordance with § 2-1246 of the State
21 Government Article to the Joint Committee on Pensions that provides the number of
22 members described under subsection (a) of this section who were:

23 (1) rehired in the preceding fiscal year into a position included in the
24 Employees' Pension System or Teachers' Pension System; and

25 (2) participating in the Alternate Contributory Pension Selection.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
27 1, 2015.