

# HOUSE BILL 164

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CF SB 176

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By: **Delegate B. Barnes (Chair, Joint Committee on Pensions)**

Introduced and read first time: January 17, 2018

Assigned to: Appropriations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Judges' Retirement System – Mandatory Retirement Age – Clarification of**  
3 **Eligibility for Allowance**

4 FOR the purpose of clarifying the eligibility for a retirement allowance for certain members  
5 of the Judges' Retirement System who reach the mandatory retirement age required  
6 by Article IV, § 3 of the Maryland Constitution and have less than a certain number  
7 of years of service; and generally relating to clarifying the eligibility for a retirement  
8 allowance from the Judges' Retirement System.

9 BY repealing and reenacting, with amendments,  
10 Article – State Personnel and Pensions  
11 Section 27–401(b)  
12 Annotated Code of Maryland  
13 (2015 Replacement Volume and 2017 Supplement)

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

16 **Article – State Personnel and Pensions**

17 27–401.

18 (b) (1) This subsection applies only to an individual who becomes a member of  
19 the Judges' Retirement System on or after July 1, 2012.

20 (2) A member or former member is entitled to a retirement allowance:

21 (i) on termination of service, if the member is at least 60 years old  
22 and has at least 5 years of eligibility service;

23 (ii) on the recommendation of the medical board, if the member or

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 former member resigns because of disability;

2 (iii) when retired by order of the Court of Appeals, if the member has  
3 at least 5 years of eligibility service;

4 (iv) [when retired by order of the Court of Appeals] **AT THE**  
5 **MANDATORY RETIREMENT AGE REQUIRED BY ARTICLE IV, § 3 OF THE MARYLAND**  
6 **CONSTITUTION** with less than 5 years of eligibility service, if the member has eligibility  
7 service equal to the mandatory retirement age required by Article IV, § 3 of the Maryland  
8 Constitution minus the member's age when the member first becomes a member; or

9 (v) at the age of 60 years, if the former member's termination of  
10 service occurred earlier and the former member had at least 5 years of eligibility service  
11 when the former member terminated service.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
13 1, 2018.