

HOUSE BILL 62

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CF SB 119

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

Introduced and read first time: January 17, 2019

Assigned to: Appropriations

Committee Report: Favorable

House action: Adopted

Read second time: February 12, 2019

CHAPTER _____

1 AN ACT concerning

2 **Employees' Pension System – Purchase of Eligibility Service Credit –**
3 **Clarification**

4 FOR the purpose of clarifying a provision authorizing a certain purchase of eligibility
5 service credit in the Employees' Pension System for certain employment; and
6 generally relating to purchases of service credit in the Employees' Pension System.

7 BY repealing and reenacting, without amendments,
8 Article – State Personnel and Pensions
9 Section 23–307(a)
10 Annotated Code of Maryland
11 (2015 Replacement Volume and 2018 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article – State Personnel and Pensions
14 Section 23–307(b)
15 Annotated Code of Maryland
16 (2015 Replacement Volume and 2018 Supplement)

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

19 **Article – State Personnel and Pensions**

20 23–307.

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 (a) (1) Except as provided in subsection (b) of this section, in the year of
2 retirement, a member of the Employees' Pension System may purchase credit for eligibility
3 service of up to 10 years for periods of employment described in paragraph (3) of this
4 subsection for which the member is not otherwise entitled to service credit.

5 (2) To purchase service credit under this subsection, a member must:

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

8 (ii) pay to the Board of Trustees an amount equal to the annuity
9 reserve and pension reserve required to fund the additional allowance.

10 (3) A member may only purchase service credit under this subsection for
11 employment with:

12 (i) the State;

13 (ii) a political subdivision in the State;

14 (iii) an out-of-state school as a teacher;

15 (iv) the federal government;

16 (v) an out-of-state political subdivision;

17 (vi) a public or nonpublic school as a teacher; or

18 (vii) a postsecondary school as a teacher.

19 (b) (1) This subsection does not apply to an employee of a participating
20 governmental unit or a former participating governmental unit that has withdrawn.

21 (2) In the year of retirement, a member of the Employees' Pension System
22 may purchase credit for eligibility service for periods of employment with the State for
23 which the member is not otherwise entitled to service credit in a State system.

24 (3) [Except as provided in paragraph (4) of this subsection, a] A member
25 who purchases service credit under this subsection[,] may not purchase:

26 (i) more than a total of 10 years of service credit in the Employees'
27 Pension System;

28 (ii) service credit for any period of employment during which the
29 member participated in the optional retirement program; or

1 (iii) more than a total of 5 years of service credit in the Employees'
2 Pension System for employment as a postsecondary school teacher.

3 (4) To purchase service credit under this subsection, a member must:

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

6 (ii) pay to the Board of Trustees an amount equal to one-half of the
7 annuity reserve and one-half of the pension reserve required to fund the additional
8 allowance.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
10 1, 2019.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.