

# HOUSE BILL 1236

P6

3lr3022  
CF SB 204

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By: **Delegate Henson**

Introduced and read first time: February 15, 2023

Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

1 AN ACT concerning

2 **State Retirement and Pension System – Vesting and Retirement Allowance**  
3 **– Clerk of the Court and Register of Wills**

4 FOR the purpose of establishing for a clerk of a circuit court and a register of wills vesting  
5 rights and a retirement allowance in the Employees' Pension System after accruing  
6 a certain period of eligibility service; establishing that a clerk of a circuit court and  
7 a register of wills who begins membership in the Employees' Pension System on or  
8 after a certain date may retire with a normal retirement allowance after a certain  
9 period of eligibility service; and generally relating to the vesting and retirement  
10 allowance of a clerk of a circuit court and a register of wills in the State Retirement  
11 and Pension System.

12 BY repealing and reenacting, with amendments,  
13 Article – State Personnel and Pensions  
14 Section 23–401(f)  
15 Annotated Code of Maryland  
16 (2015 Replacement Volume and 2022 Supplement)

17 BY adding to  
18 Article – State Personnel and Pensions  
19 Section 29–306  
20 Annotated Code of Maryland  
21 (2015 Replacement Volume and 2022 Supplement)

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

24 **Article – State Personnel and Pensions**

25 23–401.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (f) (1) (i) [A] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS  
 2 PARAGRAPH, A member who begins membership on or after July 1, 2011, may retire with  
 3 a normal service retirement allowance if:

4 [(i)] 1. the member completes and submits a written application  
 5 to the Board of Trustees stating the date when the member desires to retire; and

6 [(ii)] 2. on or before the date of retirement, the member:

7 [1.] A. has at least 90 years of combined age and years of  
 8 eligibility service; or

9 [2.] B. is at least 65 years old and has at least 10 years of  
 10 eligibility service.

11 (ii) A CLERK OF THE CIRCUIT COURT OR A REGISTER OF WILLS  
 12 WHO BEGINS MEMBERSHIP ON OR AFTER JULY 1, 2011, MAY RETIRE WITH A NORMAL  
 13 SERVICE RETIREMENT ALLOWANCE IF:

14 1. THE MEMBER COMPLETES AND SUBMITS A WRITTEN  
 15 APPLICATION TO THE BOARD OF TRUSTEES STATING THE DATE WHEN THE MEMBER  
 16 DESIRES TO RETIRE; AND

17 2. ON OR BEFORE THE DATE OF RETIREMENT, THE  
 18 MEMBER:

19 A. HAS AT LEAST 90 YEARS OF COMBINED AGE AND  
 20 YEARS OF ELIGIBILITY SERVICE; OR

21 B. IS AT LEAST 65 YEARS OLD AND HAS AT LEAST 8 YEARS  
 22 OF ELIGIBILITY SERVICE.

23 (2) Except as provided in subsection (g) of this section, a member who is  
 24 subject to the reformed contributory pension benefit under Subtitle 2, Part IV of this title  
 25 is entitled to receive a normal service retirement that equals the number of years of the  
 26 member's creditable service multiplied by 1.5% of the member's average final  
 27 compensation.

28 **29-306.**

29 (A) THIS SECTION APPLIES TO:

30 (1) A CLERK OF THE CIRCUIT COURT; AND

31 (2) A REGISTER OF WILLS.

1           **(B) A CLERK OF THE CIRCUIT COURT OR A REGISTER OF WILLS WHO IS A**  
2 **MEMBER OF THE EMPLOYEES' PENSION SYSTEM:**

3                   **(1) HAS VESTING RIGHTS AFTER ACCRUING AT LEAST 8 YEARS OF**  
4 **ELIGIBILITY SERVICE; AND**

5                   **(2) IS ENTITLED TO A RETIREMENT ALLOWANCE AS PROVIDED IN**  
6 **TITLE 23, SUBTITLE 4 OF THIS ARTICLE.**

7           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
8 1, 2023.