

## Chapter 737

(House Bill 1443)

AN ACT concerning

**Employees' Pension System – Eligibility Service Credit State Retirement and Health Benefits – Early Service Retirement Allowance and Health Insurance Benefits – Eligibility**

FOR the purpose of ~~requiring the Board of Trustees of the State Retirement and Pension System to apply certain overtime earned by certain individuals in certain employment during a certain period of time to the individual's eligibility service credit in the Employees' Pension System if the individual applies for a certain early service retirement allowance;~~ authorizing certain individuals to purchase certain service credit in the Employees' Pension System; requiring certain individuals who choose to purchase certain service credit, to pay to the Board of Trustees of the State Retirement and Pension System a certain amount for a certain service credit; requiring certain individuals to complete certain claims and make certain payments to the Board of Trustees on or before a certain date; providing that certain individuals may enroll and participate in the health insurance benefit options established under the State Employee and Retiree Health and Welfare Benefits Program under certain circumstances; requiring certain individuals to complete a certain enrollment form and be entitled to a certain subsidy; providing for the termination of this Act; and generally relating to eligibility ~~service credit~~ for early service retirement allowances ~~in the Employees' Pension System~~ and health insurance benefits under the State Retirement and Pension System and the State Employee and Retiree Health and Welfare Benefits Program.

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

(a) This section applies only to an individual who:

(1) on or after January 1, 1987, began employment with the Wicomico County Health Department and became a member of the Employees' Pension System under the State Retirement and Pension System;

(2) on or before July 1, 2001, ceased employment with the Wicomico County Health Department and became a member of the Employees' Pension System under the State Retirement and Pension System; and

(3) at the time the individual ceased employment with the Wicomico County Health Department, the individual had more than 14 years and less than 15

years of eligibility service in the Employees' Pension System of the State Retirement and Pension System.

~~(b) If an individual applies for an early service retirement allowance under Section 23-402 of the State Personnel and Pensions Article, the Board of Trustees of the State Retirement and Pension System shall apply any overtime the individual earned while an employee of the Wicomico County Health Department to the individual's eligibility service credit in the Employees' Pension System of the State Retirement and Pension System.~~

(b) An individual described under subsection (a) of this section may elect to purchase service credit in the Employees' Pension System under Title 23 of the State Personnel and Pensions Article for the period of time the individual was employed by the Wicomico County Health Department as a contractual employee that is necessary to qualify for early retirement.

(c) An individual who elects to purchase service credit in the Employees' Pension System under subsection (b) of this section shall pay to the Board of Trustees of the State Retirement and Pension System an amount equal to one-half of the annuity reserve and one-half of the pension reserve required to fund the additional allowance.

(d) To purchase contractual service credit under subsection (b) of this section, on or before December 31, 2010, an individual shall:

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

(2) pay to the Board of Trustees an amount equal to the amount determined under subsection (c) of this section.

(e) Notwithstanding the provisions of § 2-508(b)(1) of the State Personnel and Pensions Article, an individual described under subsection (a) of this section may enroll and participate in the health insurance benefit options established under the State Employee and Retiree Health and Welfare Benefits Program for so long as the individual is receiving a retirement allowance from the State.

(f) To enroll and participate in the State Employee and Retiree Health and Welfare Benefits Program under subsection (e) of this section, on or before December 31, 2010, an individual shall:

(1) complete an enrollment form and submit it to the Department of Budget and Management; and

(2) be entitled to the State subsidy allowed a State employee for each year of the retiree's creditable service, as provided under § 2-508(c)(2) of the State Personnel and Pensions Article.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2010. It shall remain effective for a period of 6 months and, at the end of December 31, 2010, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.

**Approved by the Governor, May 20, 2010.**