

and conditions.

BY repealing and reenacting, with amendments,

Article 73B - Pensions
Section 56(d)
Annotated Code of Maryland
(1970 Replacement Volume and 1975 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section 56(d) of Article 73B - Pensions, of the Annotated Code of Maryland (1970 Replacement Volume and 1975 Supplement) be and it is hereby repealed and reenacted, with amendments, to read as follows:

Article 73B - Pensions

56.

(d) [A former judge who accepts a municipal, county, State, or federal salaried public office or employment may not be paid a pension under this subtitle while he remains in the public office or employment.]

A [[FORMER JUDGE]] RETIRED JUDGE ELIGIBLE FOR BENEFITS UNDER THIS SUBTITLE MAY ACCEPT EMPLOYMENT IN WHICH ALL OR PART OF THE COMPENSATION FOR THE EMPLOYMENT COMES FROM MUNICIPAL, COUNTY, STATE, OR FEDERAL FUNDS, IF HE IMMEDIATELY NOTIFIES THE BOARD OF TRUSTEES OF THE EMPLOYEES RETIREMENT SYSTEM OF HIS INTENTION TO ACCEPT THE EMPLOYMENT AND SPECIFIES THE COMPENSATION TO BE RECEIVED FOR THE EMPLOYMENT. THE ANNUAL RETIREMENT ALLOWANCE RECEIVABLE BY THE FORMER JUDGE PLUS THE ANNUAL COMPENSATION FOR THE POSITION MAY NOT EXCEED IN AMOUNT THE COMPENSATION UPON WHICH THE RETIREMENT ALLOWANCE IS BASED. DURING ANY PERIOD IN WHICH THE TOTAL OF THE ANNUAL RETIREMENT ALLOWANCE AND THE ANNUAL COMPENSATION FOR THE POSITION IN FACT EXCEEDS THE COMPENSATION UPON WHICH THE RETIREMENT ALLOWANCE IS BASED, THE RETIREMENT ALLOWANCE SHALL BE REDUCED BY THAT AMOUNT NECESSARY TO BRING THE FORMER JUDGE'S TOTAL COMPENSATION WITHIN THE LIMIT SPECIFIED IN THIS SUBSECTION. IF A RETIRED JUDGE ACCEPTS EMPLOYMENT IN ACCORDANCE WITH THIS SUBSECTION AND IS SUBSEQUENTLY AWARDED RETIREMENT BENEFITS AS A RESULT OF THAT EMPLOYMENT, HIS RETIREMENT BENEFITS UNDER THIS SUBTITLE SHALL BE REDUCED IN THE AMOUNT OF THE RETIREMENT BENEFITS RESULTING FROM THE SUBSEQUENT EMPLOYMENT.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1976.

Approved May 4, 1976.