

Title 22

STATE RETIREMENT AND PENSION SYSTEM

Subtitle 01 GENERAL REGULATIONS

22.01.12 Enrollment in the State System

Authority: State Personnel and Pensions Article, §21-110, Annotated Code of Maryland

Notice of Proposed Action

[19-140-P]

The Board of Trustees for the State Retirement and Pension System proposes to amend Regulations .01—.03 under COMAR 22.01.12 Enrollment in the State System. This action was considered by the Board of Trustees for the State Retirement and Pension System at an open meeting held on June 18, 2019, notice of which was given by publication on the website for the Maryland State Retirement and Pension System pursuant to General Provisions Article, §3-302, Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to provide for the proper enrollment process of an eligible employee in a State system. Specifically, these proposed regulations remove the requirement to submit a Designation of Beneficiary form, which no longer is an operational requirement to complete the enrollment procedure. The proposed regulations also add a requirement for submission of a job description to ensure proper enrollment in the Teachers' Retirement System, the Law Enforcement Officers' Pension System, the State Police Retirement System, or the Correctional Officers' Retirement System (for PGU employees only). Additionally, these proposed regulations also make technical, nonsubstantive changes to COMAR 22.01.12.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Anne Gawthrop, Esq., Director of Legislative Affairs, State Retirement Agency, 120 East Baltimore Street, Baltimore, MD 21202, or call 410-625-5602, or email to agawthrop@sra.state.md.us, or fax to 410-468-1710. Comments will be accepted through September 3, 2019. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by the Board of Trustees for the State Retirement and Pension System during a public meeting to be held on September 17, 2019, at 9 a.m., at 120 East Baltimore Street, 16th Floor, Baltimore, Maryland 21202.

.01 Enrollment Required.

A participating employer is required to enroll an employee who is a member of [the] a State [System] system as a condition of employment from the first day of employment.

.02 Enrollment Procedure.

Enrollment shall consist of the participating employer [sending] *submitting* the following completed forms to the Retirement Agency:

A. (text unchanged)

[B. A Designation of Beneficiary Form that is completed in accordance with COMAR 22.01.07.02A;]

[C.] B. (text unchanged)

[D.] C. [For an employee to be enrolled in the Teachers' Pension System, a] A copy of the employee's job description[.].:

(1) For an employee who is to be enrolled:

(a) In the Teachers' Pension System;

(b) In the Teachers' Retirement System;

(c) In the Law Enforcement Officers' Pension System;

(d) In the State Police Retirement System; or

(e) If employed by a participating governmental unit, in the Correctional Officers' Retirement System; or

(2) Upon request by the Retirement Agency.

.03 Imposition of Penalty Procedure.

Based on the enrollment records as of June 30 of each fiscal year, the Retirement Agency shall impose a penalty of \$100 per employee per year on a participating employer for any employee who:

A. (text unchanged)

B. Is a member of the State [System] *system* as a condition of employment; and

C. (text unchanged)

R. DEAN KENDERDINE
Executive Director
State Retirement Agency