

SENATE BILL 433

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1998 Regular Session  
8lr2240  
CF HB 405

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By: **Senators Stone and Fry**

Introduced and read first time: February 6, 1998

Assigned to: Budget and Taxation

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 23, 1998

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Maryland Port Administration Police Officers - Pensions and Retirement**

3 FOR the purpose of authorizing certain Maryland Port Administration police officers  
4 to become members of the Law Enforcement Officers' Pension System; providing  
5 for certain exceptions; making stylistic changes; providing for a delayed effective  
6 date; providing that the Act is contingent on a certain other Act not taking effect  
7 on or before a certain date; and generally relating to membership of Maryland  
8 Port Administration police officers in the Law Enforcement Officers' Pension  
9 System.

10 BY repealing and reenacting, with amendments,  
11 Article - State Personnel and Pensions  
12 Section 26-201 and 26-202  
13 Annotated Code of Maryland  
14 (1997 Replacement Volume)

15 BY repealing and reenacting, without amendments,  
16 Article - State Personnel and Pensions  
17 Section 26-203.1  
18 Annotated Code of Maryland  
19 (1997 Replacement Volume)

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

1 **Article - State Personnel and Pensions**

2 26-201.

3 (a) Except as provided in [subsections (b) and (c)] SUBSECTION (B) of this  
4 section, this subtitle applies only to:5 (1) an employee of the Department of Natural Resources commissioned  
6 by the Secretary of Natural Resources as:

7 (i) a Natural Resources police officer; or

8 (ii) a law enforcement officer, other than a Natural Resources police  
9 officer;10 (2) a law enforcement officer employed by the Maryland Investigative  
11 Services Unit;12 (3) a member of the Maryland Transportation Authority Police Force  
13 who has the powers granted to a police officer under § 4-208 of the Transportation  
14 Article; [or]15 (4) a deputy sheriff employed by the Baltimore City Sheriff's  
16 Department; OR17 (5) A MEMBER OF THE MARYLAND PORT ADMINISTRATION POLICE  
18 FORCE WHO HAS THE POWERS GRANTED TO A POLICE OFFICER UNDER § 6-210 OF  
19 THE TRANSPORTATION ARTICLE.

20 (b) This subtitle does not apply to:

21 (1) a Maryland Transportation Authority police officer who transferred  
22 from the Employees' Retirement System to the Employees' Pension System on or after  
23 December 1, 1996[.

24 (c) This subtitle does not apply to];

25 (2) a deputy sheriff employed by the Baltimore City Sheriff's  
26 Department who transferred from the Employees' Retirement System to the  
27 Employees' Pension System on or after December 1, 1996; OR28 (3) A MEMBER OF THE MARYLAND PORT ADMINISTRATION POLICE  
29 FORCE WHO TRANSFERRED FROM THE EMPLOYEES' RETIREMENT SYSTEM TO THE  
30 EMPLOYEES' PENSION SYSTEM ON OR AFTER DECEMBER 1, 1997.

31 26-202.

32 (a) Except as provided in subsection (b) of this section, an individual described  
33 in § 26-201 of this subtitle is a member of the Law Enforcement Officers' Pension  
34 System as a condition of employment.

1 (b) (1) Subject to paragraph (2) of this subsection, membership in the Law  
2 Enforcement Officers' Pension System is optional for an individual described in §  
3 26-201 of this subtitle:

4 (i) who was employed by the Department of Natural Resources on  
5 July 1, 1990 and who elects membership on or before December 31, 1997;

6 (ii) who was employed by the Maryland Investigative Services Unit  
7 on June 30, 1995 and who elects membership on or before December 31, 1997;

8 (iii) who was employed by the Maryland Transportation Authority  
9 on June 30, 1997 and who elects membership on or before December 31, 1997; [or]

10 (iv) who was employed by the Baltimore City Sheriff's Department  
11 on June 30, 1997 and who elects membership on or before December 31, 1997; OR

12 (V) WHO WAS EMPLOYED BY THE MARYLAND PORT  
13 ADMINISTRATION POLICE FORCE ON JUNE 30, 1999 AND WHO ELECTS MEMBERSHIP  
14 ON OR BEFORE DECEMBER 31, 1999.

15 (2) To elect to be a member of the Law Enforcement Officers' Pension  
16 System, an individual shall file a written application with the State Retirement  
17 Agency.

18 (3) If an individual does not elect membership during the applicable  
19 period specified under paragraph (1) of this subsection, the individual may not  
20 become a member of the Law Enforcement Officers' Pension System.

21 26-203.1.

22 For members who transfer from the Employees' Pension System or the  
23 Employees' Retirement System, the Board of Trustees shall transfer to the  
24 accumulation fund of the Law Enforcement Officers' Pension System the employer  
25 contributions that were made to the Employees' Retirement System and the  
26 Employees' Pension System on behalf of those members who transferred, plus the  
27 interest earned on those contributions through the date of transfer.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
29 July 1, 1999, contingent Chapter (S.B. 508) of the Acts of the General Assembly of  
30 1998 not taking effect on or before July 1, 1999, and if Chapter becomes effective  
31 on or before that date, this Act shall be null and void without the necessity of further  
32 action by the General Assembly.

