

HOUSE BILL 404

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2000 Regular Session
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CF SB 618

By: **Delegates A. Jones, R. Baker, Burns, Dobson, Hecht, Marriott,
Nathan-Pulliam, and Paige**

Introduced and read first time: February 3, 2000

Assigned to: Appropriations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 24, 2000

CHAPTER _____

1 AN ACT concerning

2 **Correctional Officers' Retirement System - Transfer of Service Credit from**
3 **Employees' Pension System**

4 FOR the purpose of authorizing certain members of the Correctional Officers'
5 Retirement System to receive eligibility service credit in the Correctional
6 Officers' Retirement System for certain service transferred from the Employees'
7 Pension System; providing for a certain limit to the eligibility service
8 transferred; and generally relating to the transfer of service credit for eligibility
9 service from the Employees' Pension System to the Correctional Officers'
10 Retirement System.

11 BY repealing and reenacting, without amendments,
12 Article - State Personnel and Pensions
13 Section 25-201 and 25-401
14 Annotated Code of Maryland
15 (1997 Replacement Volume and 1999 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article - State Personnel and Pensions
18 Section 25-303
19 Annotated Code of Maryland
20 (1997 Replacement Volume and 1999 Supplement)

21 BY adding to
22 Article - State Personnel and Pensions

1 Section 25-306.1
2 Annotated Code of Maryland
3 (1997 Replacement Volume and 1999 Supplement)

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

6 **Article - State Personnel and Pensions**

7 25-201.

8 (a) Except as provided in subsection (b) of this section, this subtitle applies
9 only to:

10 (1) correctional officers serving in any of the first six job classifications;
11 and

12 (2) security attendants at Clifton T. Perkins Hospital Center.

13 (b) This subtitle does not apply to an employee of the Baltimore City Jail as of
14 June 30, 1991, who:

15 (1) became an employee of the Baltimore City Detention Center on July
16 1, 1991; and

17 (2) who did not elect to become a member of the Correctional Officers'
18 Retirement System on that date.

19 25-303.

20 Eligibility service for a member consists of service credit:

21 (1) for employment as a member;

22 (2) regained under § 25-304 of this subtitle by a member who redeposits
23 accumulated contributions previously withdrawn;

24 (3) transferred from a retirement or pension system under Title 37 of
25 this article or Title 31, Subtitle 1 of this article;

26 (4) for military service as provided in Title 38 of this article; [or]

27 (5) purchased under this subtitle; OR

28 (6) ~~TRANSFERRED FROM THE EMPLOYEES' PENSION SYSTEM FOR AN~~
29 ~~INDIVIDUAL WHO WAS VESTED BUT WHOSE MEMBERSHIP IN THE EMPLOYEES'~~
30 ~~PENSION SYSTEM TERMINATED AS A RESULT OF BEING LAID OFF FOR~~
31 ~~NONDISCIPLINARY REASONS UNDER § 25-306.1 OF THIS SUBTITLE.~~

1 25-306.1.

2 (A) A MEMBER WHO IS A FORMER MEMBER OF THE EMPLOYEES' PENSION
3 SYSTEM WHO WAS VESTED BUT WHOSE MEMBERSHIP IN THE EMPLOYEES' PENSION
4 SYSTEM TERMINATED AS A RESULT OF BEING LAID OFF FOR NONDISCIPLINARY
5 REASONS MAY TRANSFER SERVICE CREDIT FOR ELIGIBILITY SERVICE TO THE
6 CORRECTIONAL OFFICERS' RETIREMENT SYSTEM IF THE MEMBER FILES WITH THE
7 BOARD OF TRUSTEES AN EXECUTED WAIVER OF ALL BENEFITS TO WHICH THE
8 MEMBER MAY BE ENTITLED UNDER THE EMPLOYEES' PENSION SYSTEM.

9 (B) ELIGIBILITY SERVICE TRANSFERRED FROM THE EMPLOYEES' PENSION
10 SYSTEM UNDER SUBSECTION (A) OF THIS SECTION SHALL BE TRANSFERRED AT THE
11 RATE OF 6 MONTHS OF ELIGIBILITY SERVICE IN THE CORRECTIONAL OFFICERS'
12 RETIREMENT SYSTEM FOR EACH YEAR OF ELIGIBILITY SERVICE IN THE EMPLOYEES'
13 PENSION SYSTEM.

14 25-401.

15 (a) A member may retire with a normal service retirement allowance if:

16 (1) on or before the date of retirement, the member has at least 20 years
17 of eligibility service;

18 (2) for at least 5 years immediately before retirement, the member was a
19 security attendant at Clifton T. Perkins Hospital Center, a correctional officer in any
20 of the first six job classifications, or in a combination of these positions; and

21 (3) the member completes and submits a written application to the
22 Board of Trustees stating the date when the member desires to retire.

23 (b) On retirement under this section, a member is entitled to receive a normal
24 service retirement allowance that equals one fifty-fifth of the member's average final
25 compensation multiplied by the number of years of creditable service.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 July 1, 2000.