

# SENATE BILL 885

K4, R2, P2

4lr2483

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By: **Senator Jones–Rodwell**

Introduced and read first time: January 31, 2014

Assigned to: Budget and Taxation

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## A BILL ENTITLED

AN ACT concerning

### **State Pension System – Concessionaires and Other Private Entities – Participation**

FOR the purpose of requiring a concessionaire or other private entity that performs certain services under a public–private partnership that includes certain activities related to a transit facility and the employees of the concessionaire or other private entity to participate in the Employees’ Pension System; and generally relating to participation in the Employees’ Pension System by certain entities participating in certain public–private partnerships.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 23–201(a)(18) and (19) and 31–102(2)(xxiii) and (xxiv)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY adding to

Article – State Personnel and Pensions

Section 23–201(a)(20) and 31–102(2)(xxv)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,

Article – State Personnel and Pensions

Section 23–203

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



**Article – State Personnel and Pensions**

23–201.

(a) Except as provided in subsection (b) of this section, §§ 23–203 through 23–205 of this subtitle apply only to:

(18) an employee of the Town of University Park on or after the date that the Town of University Park begins participation in the Employees' Pension System; [and]

(19) an employee of the Maryland Automobile Insurance Fund on or after the date that the Maryland Automobile Insurance Fund begins participation in the Employee's Pension System; **AND**

**(20) AN EMPLOYEE OF A CONCESSIONAIRE OR ANY OTHER PRIVATE ENTITY THAT PERFORMS FUNCTIONS NORMALLY UNDERTAKEN BY A GOVERNMENTAL UNIT UNDER A PUBLIC–PRIVATE PARTNERSHIP UNDER TITLE 10A OF THE STATE FINANCE AND PROCUREMENT ARTICLE THAT INCLUDES THE CONSTRUCTION, OPERATION, OR MAINTENANCE OF A TRANSIT FACILITY.**

23–203.

Except as provided in § 23–204 of this subtitle, an individual described in § 23–201(a) of this subtitle who becomes an employee of a participating employer on or after January 1, 1980, or who transfers membership from the Employees' Retirement System, is a member of the Employees' Pension System as a condition of employment.

31–102.

Subject to § 22–202(b) of this article, the governmental units that are eligible to participate in the employees' systems are:

(2) the following governmental units:

(xxiii) the Garrett County Office for Children, Youth and Families;

[and]

(xxiv) the Somerset County Economic Development Commission;

**AND**

**(XXV) A CONCESSIONAIRE OR ANY OTHER PRIVATE ENTITY THAT PERFORMS FUNCTIONS NORMALLY UNDERTAKEN BY A GOVERNMENTAL UNIT UNDER A PUBLIC–PRIVATE PARTNERSHIP UNDER TITLE 10A OF THE STATE FINANCE AND PROCUREMENT ARTICLE THAT INCLUDES THE CONSTRUCTION, OPERATION, OR MAINTENANCE OF A TRANSIT FACILITY.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2014.