K4 HB 488/10 – APP 6lr3269 CF HB 1438

By: Senator McFadden

Introduced and read first time: February 4, 2016 Assigned to: Budget and Taxation

Committee Report: Favorable with amendments Senate action: Adopted Read second time: March 26, 2016

CHAPTER _____

1 AN ACT concerning

2 Correctional Officers' Retirement System – Membership – Correctional Case 3 Management Specialist

4 FOR the purpose of altering the membership of the Correctional Officers' Retirement $\mathbf{5}$ System to include certain correctional case management specialists, supervisors, or 6 managers; authorizing certain individuals to transfer membership to the 7 Correctional Officers' Retirement System; clarifying that certain individuals who do not elect to transfer are not members of the Correctional Officers' Retirement 8 9 System: requiring certain individuals to deposit certain amounts in the annuity 10 savings fund of the Correctional Officers' Retirement System: requiring the Board of 11 Trustees for the State Retirement and Pension System to transfer certain funds to the annuity savings fund of the Correctional Officers' Retirement System: providing 12that certain accumulated contributions shall reduce the amount of a required deposit 13to the annuity savings fund of the Correctional Officers' Retirement System; 14 prohibiting an individual who transfers membership to the Correctional Officers' 15Retirement System under this Act from receiving certain benefits if the individual 16retires within a certain number of years after transferring to the Correctional 1718 Officers' Retirement System; providing that certain members of the Correctional 19Officers' Retirement System who meet certain criteria may receive a normal service 20retirement allowance that is based on certain creditable service; requiring the State 21Retirement Agency, on or before a certain date, to notify certain individuals affected 22by this Act of their rights to transfer certain service credit to the Correctional 23Officers' Retirement System; and generally relating to membership in the 24Correctional Officers' Retirement System.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1	BY repealing and reenacting, with amendments,		
2	Article – State Personnel and Pensions		
3	Section 25–201 , 25–202, and 25–401		
4	Annotated Code of Maryland		
5	(2015 Replacement Volume)		
6	BY repealing and reenacting, without amendments,		
7	Article – State Personnel and Pensions		
8	Section 25–203.1 and 29–302(c) and (d)		
9	Annotated Code of Maryland		
10	(2015 Replacement Volume)		
11	BY adding to		
12	Article – State Personnel and Pensions		
13	Section 25–203.2 and 29–302(g)		
14	Annotated Code of Maryland		
15	(2015 Replacement Volume)		
$\begin{array}{c} 16 \\ 17 \end{array}$			
18	Article – State Personnel and Pensions		
19	25–201.		
$\begin{array}{c} 20\\ 21 \end{array}$	(a) Except as provided in subsection (b) of this section, this subtitle applies only to:		
22	(1) correctional officers serving in any of the first six job classifications;		
23	(2) security attendants at Clifton T. Perkins Hospital Center;		
$\begin{array}{c} 24\\ 25\\ 26\end{array}$	(3) a detention center officer employed by a participating governmental unit that on or after July 1, 2006, has elected to participate in the Correctional Officers' Retirement System;		
$\begin{array}{c} 27\\ 28 \end{array}$	(4) an individual serving as a correctional dietary, maintenance, laundry, or supply officer;		
29 30	(5) an individual serving as a Maryland Correctional Enterprises officer, officer trainee, plant supervisor, plant manager, or regional manager; [and]		
$\frac{31}{32}$	(6) a correctional officer serving as a security chief, a facility administrator, an assistant warden, or a warden who:		
33	(i) begins employment in that position on or after July 1, 2014; or		

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$\frac{1}{2}$	(ii to the Correctional O) is serving in that position on June 30, 2014, and elects to transfer fficers' Retirement System from:
$\frac{3}{4}$	2014; or	1. the Employees' Pension System on or before December 31,
$5 \\ 6$	31, 2015 ; AND	2. the Employees' Retirement System on or before December
7 8	(7) A MANAGEMENT SPEC	N INDIVIDUAL SERVING AS A CORRECTIONAL CASE PIALIST <u>, SUPERVISOR, OR MANAGER ON OR AFTER JULY 1, 2016</u> .
9	(b) This sub	title does not apply to:
10	(1) aı	n employee of the Baltimore City Jail as of June 30, 1991, who:
$\frac{11}{12}$	(i) July 1, 1991; and	became an employee of the Baltimore City Detention Center on
$\frac{13}{14}$	(ii Retirement System of	/
$15\\16\\17\\18$	unit as a local detent 1, 2006, who did not	detention center officer employed by a participating governmental on center officer on the effective date of participation on or after July elect to become a member of the Correctional Officers' Retirement ths of the effective date of participation; f or]
$19 \\ 20 \\ 21$	an assistant warden,	correctional officer serving as a security chief, a facility administrator, or a warden who is in that position on June 30, 2014, and does not bership to the Correctional Officers' Retirement System from:
$\frac{22}{23}$	(i) or	the Employees' Pension System on or before December 31, 2014;
$24 \\ 25$	(ii 2015 ; OR) the Employees' Retirement System on or before December 31,
26 27 28 29 30	NOT ELECT TO TI Retirement Sys'	N INDIVIDUAL SERVING AS A CORRECTIONAL CASE WALIST WHO IS IN THAT POSITION ON JUNE 30, 2016, AND DOES CANSFER MEMBERSHIP TO THE CORRECTIONAL OFFICERS' FEM FROM THE EMPLOYEES' PENSION SYSTEM OR THE EMENT SYSTEM ON OR BEFORE DECEMBER 31, 2016.

31 25-202.

1	(a) Except as provided in subsection (b) of this section, an individual described in
2	§ 25-201(a) of this subtitle is a member of the Correctional Officers' Retirement System as
3	a condition of employment.

4 (b) (1) Subject to paragraph (2) of this subsection, membership in the 5 Correctional Officers' Retirement System is optional for an individual described in § 6 25-201 of this subtitle who:

7 (I) was employed by a participating governmental unit as a local
 8 detention center officer on the effective date of participation on or after July 1, 2006, for
 9 that participating governmental unit and who elects membership within 6 months of the
 10 effective date of participation; AND

(II) IS SERVING AS A CORRECTIONAL CASE MANAGEMENT
 SPECIALIST ON JUNE 30, 2016, AND ELECTS TO TRANSFER MEMBERSHIP TO THE
 CORRECTIONAL OFFICERS' RETIREMENT SYSTEM FROM THE EMPLOYEES'
 PENSION SYSTEM OR THE EMPLOYEES' RETIREMENT SYSTEM ON OR BEFORE
 DECEMBER 31, 2016.

- 16 (2) To elect to be a member of the Correctional Officers' Retirement 17 System, an individual shall file a written application with the State Retirement Agency.
- 18 (3) If an individual does not elect membership during the applicable period 19 specified under paragraph (1) of this subsection, the individual may not become a member 20 of the Correctional Officers' Retirement System.
- 21 $\frac{25-203.1}{25-203.1}$

For members who transfer from the Employees' Pension System or the Employees' Retirement System, the Board of Trustees shall transfer to the accumulation fund of the Correctional Officers' Retirement System the employer contributions that were made to the Employees' Pension System or the Employees' Retirement System on behalf of those members who transferred, plus the interest earned on those contributions through the date of transfer.

- 28 25-203.2.
- (A) THIS SECTION APPLIES TO AN INDIVIDUAL SERVING AS A
 CORRECTIONAL CASE MANAGEMENT SPECIALIST WHO IS IN THAT POSITION ON
 JUNE 30, 2016, AND ELECTS TO TRANSFER MEMBERSHIP TO THE CORRECTIONAL
 OFFICERS' RETIREMENT SYSTEM FROM THE EMPLOYEES' PENSION SYSTEM OR
 THE EMPLOYEES' RETIREMENT SYSTEM ON OR BEFORE DECEMBER 31, 2016.
- 34 (B) A MEMBER SHALL DEPOSIT IN THE ANNUITY SAVINGS FUND OF THE 35 Correctional Officers' Retirement System:

$1 \\ 2 \\ 3 \\ 4$	(1) AN AMOUNT EQUAL TO THE MEMBER CONTRIBUTIONS THAT WOULD HAVE BEEN MADE IF THE RATE OF MEMBER CONTRIBUTIONS WAS THE SAME AS THE RATE SPECIFIED UNDER § 25–203 OF THIS SUBTITLE WHEN THE SERVICE BEING TRANSFERRED WAS EARNED; AND
5 6 7	(2) REGULAR INTEREST ON THE CONTRIBUTIONS REQUIRED UNDER ITEM (1) OF THIS SUBSECTION AT THE RATE OF 4% PER YEAR COMPOUNDED ANNUALLY.
8 9 10 11	(C) (1) THE BOARD OF TRUSTEES SHALL TRANSFER A MEMBER'S ACCUMULATED CONTRIBUTIONS FROM THE ANNUITY SAVINGS FUND OF THE Employees' Pension System or the Employees' Retirement System to the Annuity savings fund of the Correctional Officers' Retirement System.
$12 \\ 13 \\ 14$	(2) THE AMOUNT A MEMBER IS REQUIRED TO DEPOSIT UNDER SUBSECTION (B) OF THIS SECTION SHALL BE REDUCED BY THE AMOUNT OF ACCUMULATED CONTRIBUTIONS TRANSFERRED UNDER THIS SUBSECTION.
15	25-401.
16	(a) A member may retire with a normal service retirement allowance if:
17	(1) on or before the date of retirement, the member:
18	(i) has at least 20 years of eligibility service;
19 20	(II) <u>1. IS A CORRECTIONAL CASE MANAGEMENT SPECIALIST,</u> SUPERVISOR, OR MANAGER ON OR BEFORE JUNE 30, 2016;
$\begin{array}{c} 21 \\ 22 \end{array}$	2. <u>IS VESTED IN THE CORRECTIONAL OFFICERS'</u> <u>Retirement System; and</u>
$\begin{array}{c} 23\\ 24 \end{array}$	3.HAS A COMBINED TOTAL OF AT LEAST 20 YEARS OFELIGIBILITY SERVICE FROM:
$\frac{25}{26}$	<u>A. THE CORRECTIONAL OFFICERS' RETIREMENT</u> System and the Employees' Retirement System; or
27 28	<u>B.</u> <u>THE CORRECTIONAL OFFICERS' RETIREMENT</u> System and the Employees' Pension System;
29	(ii) (III) is at least 55 years old and has:
30 31	1. at least 5 years of eligibility service credit, if the member is a member on or before June 30, 2011; or

at least 10 years of eligibility service credit, if the member 1 2. $\mathbf{2}$ becomes a member on or after July 1, 2011; or 3 is a maximum security attendant at the Clifton T. Perkins (IV) 4 Hospital Center who is at least 60 years old and has: $\mathbf{5}$ at least 5 years of eligibility service credit, if the member 1. 6 is a member on or before June 30, 2011; or 7 2.at least 10 years of eligibility service credit, if the member 8 becomes a member on or after July 1, 2011; and 9 (2)the member completes and submits a written application to the Board 10 of Trustees stating the date when the member desires to retire. 11 (b)On retirement under this section, a member is entitled to receive a normal 12service retirement allowance that equals one fifty-fifth of the member's average final 13 compensation multiplied by the number of years of creditable service. 14(C) (1) THIS SUBSECTION APPLIES ONLY TO AN INDIVIDUAL SERVING AS 15A CORRECTIONAL CASE MANAGEMENT SPECIALIST WHO IS IN THAT POSITION ON JUNE 30, 2016, AND ELECTS TO TRANSFER MEMBERSHIP TO THE CORRECTIONAL 16 **OFFICERS' RETIREMENT SYSTEM FROM THE EMPLOYEES' PENSION SYSTEM OR** 17THE EMPLOYEES' RETIREMENT SYSTEM ON OR BEFORE DECEMBER 31, 2016. 18 NOTWITHSTANDING SUBSECTION (B) OF THIS SECTION, IF AN 19(2) 20**INDIVIDUAL DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION RETIRES WITHIN 5 YEARS AFTER TRANSFERRING INTO THE CORRECTIONAL OFFICERS' RETIREMENT** 2122System, the benefits payable with respect to the transferred serve 23CREDIT MAY NOT BE GREATER THAN THE BENEFITS THAT WOULD HAVE BEEN 24PAYABLE BY THE PREVIOUS SYSTEM WITH RESPECT TO THE SERVICE IF 25INDIVIDUAL HAD REMAINED IN THE PREVIOUS SYSTEM. 2629_302. 27A vested allowance is a deferred allowance starting at: (e) 28(1)normal retirement age for members of: 29(i) the Employees' Retirement System; 30 the State Police Retirement System: and (ii) the Teachers' Retirement System: 31 (iii)

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2 the Correctional Officers' Retirement System, or 3 (3) age 60 for a member of the Correctional Officers' Retirement System 4 who is a maximum security attendant at the Clifton T. Perkins Hospital Center. 5 (d) A vested allowance: 6 (1) is computed as a normal cervice retirement allowance on the basis of 7 the former member's creditable service and average final compensation at the time of 8 (2) may be paid in one of the optional forms of allowances under § 21–403 9 (2) may be paid in one of the optional forms of allowances under § 21–403 10 (f) (l) THIS SUBSECTION APPLIES ONLY TO AN INDIVIDUAL SERVING AS A conflectional Case MANAGEMENT SPECIALIST WHO IS IN THAT POSITION ON 11 (G) (l) THIS SUBSECTION APPLIES ONLY TO AN INDIVIDUAL SERVING AS A conflectional case MANAGEMENT SYSTEM FROM THE EMPLOYEES' PENSION SYSTEM OR 12 A conflectional Distribution of a subsection (b) of this Section of the AN 13 JUNE 30, 2016, AND ELECTS TO TRANSFER MEMBERSHIP TO THE CORREctional OFFICERS' RETIREMENT SYSTEM FROM THE EMPLOYEES' PENSION SYSTEM OR 14 OFFICERS' RETIREMENT SYSTEM FROM THE EMPLOYEES' PENSION SYSTEM OR 15 THE EMPLOYEES' RETIREMENT SYSTEM FROM THE EMPLOYEES' RETIREMENT 16 (2) NOTWITHSTANDING SUBSECTION (b) OF THIS SECTION, IF AN	1	(2) avant as provided in item (2) of this subsection are 55 for a member of
 (3) age 60 for a member of the Correctional Officers' Retirement System who is a maximum security attendant at the Clifton T. Perkins Hospital Center. (d) A vested allowance: (e) A vested allowance: (f) is computed as a normal service retirement allowance on the basis of the former member's creditable service and average final compensation at the time of separation from employment, and (f) may be paid in one of the optional forms of allowances under § 21–103 of this article. (f) (l) THIS SUBSECTION APPLIES ONLY TO AN INDIVIDUAL SERVING AS A CORRECTIONAL CASE MANAGEMENT SPECIALIST WHO IS IN THAT POSITION ON JUNE 30, 2016, AND ELECTS TO TRANSFER MEMBERSHIP TO THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM FROM THE EMPLOYEES' PENSION SYSTEM OR THE EMPLOYEES' RETIREMENT SYSTEM FROM THE EMPLOYEES' PENSION SYSTEM OR THE EMPLOYEES' RETIREMENT SYSTEM ON OR BEFORE DECEMBER 31, 2016. (2) NOTWITHSTANDING SUBSECTION (b) OF THIS SECTION, IF AN NDIVIDUAL DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION RETIRES WITHIN SYSTEM, THE DENETITS TAVABLE WITH RESPECT TO THE TRANSFERRED SERVICE Charter TRANSFERRING INTO THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM, THE PREVIOUS SYSTEM WITH RESPECT TO THE SERVICE IF THE NDIVIDUAL HAD REMAINED IN THE PREVIOUS SYSTEM. (c) (1) THIS SUBSECTION APPLIES ONLY TO A CORRECTIONAL CASE MANAGEMENT SPECIALIST, SUPERVISOR, OR MANAGER WHO HAS A COMBINED TOTAL OF 20 YEARS OF ELIGIBILITY SERVICE AS PROVIDED IN SUBSECTION (a) A MEMBER IS ENTITLED TO RECEIVE A NORMAL SERVICE RETIREMENT SYSTEM. SECTION 2, AND BE IT FURTHER ENACTED, That, on or before October 1, 2016, 	1	(2) except as provided in item (3) of this subsection, age 55 for a member of
4 who is a maximum security attendant at the Clifton T. Perkins Hospital Center. 5 (d) A vested allowance: 6 (1) is computed as a normal service retirement allowance on the basis of the former member's creditable service and average final componsation at the time of separation from employment; and 9 (2) may be paid in one of the optional forms of allowances under § 21–103 of this article. 10 (G) (1) THIS SUBSECTION APPLIES ONLY TO AN INDIVIDUAL SERVING AS A CORRECTIONAL CASE MANAGEMENT SPECIALIST WHO IS IN THAT POSITION ON JUNE 30, 2016, AND ELECTS TO TRANSFER MEMBERSHIP TO THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM FROM THE EMPLOYEES' PENSION SYSTEM OR THE EMPLOYEES' RETIREMENT SYSTEM FROM THE EMPLOYEES' PENSION SYSTEM ON THE EMPLOYEES' RETIREMENT SYSTEM FROM THE EMPLOYEES' RETIREMENT SYSTEM ON OR BEFORE DECEMBER 31, 2016. 16 (2) NOTWITHSTANDING SUBSECTION (D) OF THIS SECTION, IF AN INDIVIDUAL DESCRIPED IN PARAGRAPH (1) OF THIS SUBSECTION RETIRES WITHIN SYSTEM, AND THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM WITH RESPECT TO THE TRANSFERRED SERVICE CREDIT MAY NOT BE GREATER THAN THE BENEFITS THAT WOULD HAVE BEEN PAYABLE BY THE RESPECT TO THE SERVICE IF THE INDIVIDUAL HAD REMAINED IN THE PREVIOUS SYSTEM. 23 (C) (1) THIS SUBSECTION APPLIES ONLY TO A CORRECTIONAL CASE MANAGEMENT SPECIALIST, SUPERVISOR, OR MANAGER WHO HAS A COMBINED TOTAL OF 20 YEARS OF ELIGIBLITY SERVICE AS PROVIDED IN SUBSECTION (A)(1)(I) OF THIS SECTION. 24 (2) A MEMBER IS ENTITLED TO RECEIVE A NORMAL SERVICE RETIREMENT SYSTEM. 25 (1) THIS SUBSECTION. 26 (2) (1) TH	Δ	the Correctional Onicers Retirement System, or
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 (1) is computed as a normal service retirement allowance on the basis of the former member's creditable service and average final compensation at the time of separation from employment; and (2) may be paid in one of the optional forms of allowances under § 21–103 of this article. (G) (1) This SUBSECTION APPLIES ONLY TO AN INDIVIDUAL SERVING AS A CORRECTIONAL CASE MANAGEMENT SPECIALIST WHO IS IN THAT POSITION ON JUNE 30, 2016, AND ELECTS TO TRANSFER MEMBERSHIP TO THE CORRECTIONAL SERVING AS THE EMPLOYEES' RETIREMENT SYSTEM FROM THE EMPLOYEES' PENSION SYSTEM OR THE EMPLOYEES' RETIREMENT SYSTEM ON OR BEFORE DECEMBER 31, 2016. (C) (1) NOTWITHSTANDING SUBSECTION (D) OF THIS SECTION, IF AN INDIVIDUAL DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION RETERES WITHIN SYSTEM, THE DENEFITS PAYABLE WITH RESPECT TO THE TRANSFERRED SERVICE CREDIT MAY NOT BE GREATER THAN THE BENEFITS THAT WOULD HAVE BEEN PAYABLE BY THE PREVIOUS SYSTEM WITH RESPECT TO THE SERVICE IF THE INDIVIDUAL HAD REMAINED IN THE PREVIOUS SYSTEM. (C) (1) THIS SUBSECTION APPLIES ONLY TO A CORRECTIONAL CASE MANAGEMENT SPECIALIST, SUPERVISOR, OR MANAGER WHO HAS A COMBINED TOTAL OF 20 YEARS OF ELIGIBILITY SERVICE AS PROVIDED IN SUBSECTION (A)(1)(II) OF THIS SECTION. (2) A MEMBER IS ENTITLED TO RECEIVE A NORMAL SERVICE RETIREMENT ALLOWANCE THAT EQUALS AN ALLOWANCE BASED ON THE CREDITABLE SERVICE THE MEMBER HAS IN THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM. 	4	who is a maximum security attenuant at the Onton 1. Ferkins nospital Center.
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 separation from employment; and (2) may be paid in one of the optional forms of allowances under § 21–403 of this article. (C) (1) THIS SUBSECTION APPLIES ONLY TO AN INDIVIDUAL SERVING AS A CORRECTIONAL CASE MANAGEMENT SPECIALIST WHO IS IN THAT POSITION ON JUNE 30, 2016, AND ELECTS TO TRANSFER MEMBERSHIP TO THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM FROM THE EMPLOYEES' PENSION SYSTEM OR THE EMPLOYEES' RETIREMENT SYSTEM ON OR BEFORE DECEMBER 31, 2016. (2) NOTWITHSTANDING SUBSECTION (D) OF THIS SECTION, IF AN INDIVIDUAL DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION RETIRES WITHIN 5 YEARS AFTER TRANSFERRING INTO THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM, THE DENEFITS PAVABLE WITH RESPECT TO THE TRANSFERRED SERVICE CREDIT MAY NOT BE GREATER THAN THE BENEFITS THAT WOULD HAVE BEEN PAVABLE BY THE PREVIOUS SYSTEM WITH RESPECT TO THE SERVICE IF THE INDIVIDUAL HAD REMAINED IN THE PREVIOUS SYSTEM. (C) (1) THIS SUBSECTION APPLIES ONLY TO A CORRECTIONAL CASE MANAGEMENT SPECIALIST, SUPERVISOR, OR MANAGER WHO HAS A COMBINED TOTAL OF 20 YEARS OF ELIGIBILITY SERVICE AS PROVIDED IN SUBSECTION (A)(1)(II) OF THIS SECTION. (2) A MEMBER IS ENTITLED TO RECEIVE A NORMAL SERVICE RETIREMENT ALLOWANCE THAT EQUALS AN ALLOWANCE BASED ON THE CREDITABLE SERVICE THE MEMBER HAS IN THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM. SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1, 2016, 	7	
 9 (2) may be paid in one of the optional forms of allowances under § 21-103 of this article. (6) (1) THIS SUBSECTION APPLIES ONLY TO AN INDIVIDUAL SERVING AS A CORRECTIONAL CASE MANAGEMENT SPECIALIST WHO IS IN THAT POSITION ON JUNE 30, 2016, AND ELECTS TO TRANSFER MEMBERSHIP TO THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM FROM THE EMPLOYEES' PENSION SYSTEM OR THE EMPLOYEES' RETIREMENT SYSTEM FROM THE EMPLOYEES' PENSION SYSTEM OR THE EMPLOYEES' RETIREMENT SYSTEM ON OR BEFORE DECEMBER 31, 2016. (2) NOTWITHSTANDING SUBSECTION (D) OF THIS SECTION, IF AN INDIVIDUAL DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION RETIRES WITHIN 5 YEARS AFTER TRANSFERRING INTO THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM, THE DENEFITS PAYABLE WITH RESPECT TO THE TRANSFERRED SERVICE CREDIT MAY NOT BE GREATER THAN THE BENEFITS THAT WOULD HAVE BEEN PAYABLE BY THE PREVIOUS SYSTEM. (C) (1) THIS SUBSECTION APPLIES ONLY TO A CORRECTIONAL CASE MANAGEMENT SPECIALIST, SUPERVISOR, OR MANAGER WHO HAS A COMBINED TOTAL OF 20 YEARS OF ELIGIBILITY SERVICE AS PROVIDED IN SUBSECTION (A)(1)(I) OF THIS SECTION. (2) A MEMBER IS ENTITLED TO RECEIVE A NORMAL SERVICE RETIREMENT ALLOWANCE THAT EQUALS AN ALLOWANCE BASED ON THE CREDITABLE SERVICE THE MEMBER HAS IN THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM. 	8	
10 of this article. 11 (G) (1) THIS SUBSECTION APPLIES ONLY TO AN INDIVIDUAL SERVING AS 12 A CORRECTIONAL CASE MANAGEMENT SPECIALIST WHO IS IN THAT POSITION ON 13 JUNE 30, 2016, AND ELECTS TO TRANSFER MEMBERSHIP TO THE CORRECTIONAL 07FICERS' RETIREMENT SYSTEM FROM THE EMPLOYEES' PENSION SYSTEM OR 16 (2) 17 INDIVIDUAL DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION RETIRES WITHIN 18 5 YEARS AFTER TRANSFERRING INTO THE CORRECTIONAL OFFICERS' RETIREMENT 19 SYSTEM, THE BENEFITS PAYABLE WITH RESPECT TO THE TRANSFERRED SERVICE 19 SYSTEM, THE DENEFITS PAYABLE WITH RESPECT TO THE SERVICE IF THE 10 PAYABLE BY THE PREVIOUS SYSTEM WITH RESPECT TO THE SERVICE IF THE 11 INDIVIDUAL HAD REMAINED IN THE PREVIOUS SYSTEM. 23 (C) (1) 24 MANAGEMENT SPECIALIST, SUPERVISOR, OR MANAGER WHO HAS A COMBINED 25 TOTAL OF 20 YEARS OF ELIGIBILITY SERVICE AS PROVIDED IN SUBSECTION 26 (A) (1) (II) OF THIS SECTION. 27 (2) A MEMBER IS ENTITLED TO RECEIVE A NORMAL SERVICE 28 RETIREMENT ALLOWANCE THAT EQUALS AN ALLOWANCE BASED ON THE 29 KETIRONENT SYSTEM. 31 SE	0	separation from employment, and
10 of this article. 11 (G) (1) THIS SUBSECTION APPLIES ONLY TO AN INDIVIDUAL SERVING AS 12 A CORRECTIONAL CASE MANAGEMENT SPECIALIST WHO IS IN THAT POSITION ON 13 JUNE 30, 2016, AND ELECTS TO TRANSFER MEMBERSHIP TO THE CORRECTIONAL 07FICERS' RETIREMENT SYSTEM FROM THE EMPLOYEES' PENSION SYSTEM OR 16 (2) 17 INDIVIDUAL DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION RETIRES WITHIN 18 5 YEARS AFTER TRANSFERRING INTO THE CORRECTIONAL OFFICERS' RETIREMENT 19 SYSTEM, THE BENEFITS PAYABLE WITH RESPECT TO THE TRANSFERRED SERVICE 19 SYSTEM, THE DENEFITS PAYABLE WITH RESPECT TO THE SERVICE IF THE 10 PAYABLE BY THE PREVIOUS SYSTEM WITH RESPECT TO THE SERVICE IF THE 11 INDIVIDUAL HAD REMAINED IN THE PREVIOUS SYSTEM. 23 (C) (1) 24 MANAGEMENT SPECIALIST, SUPERVISOR, OR MANAGER WHO HAS A COMBINED 25 TOTAL OF 20 YEARS OF ELIGIBILITY SERVICE AS PROVIDED IN SUBSECTION 26 (A) (1) (II) OF THIS SECTION. 27 (2) A MEMBER IS ENTITLED TO RECEIVE A NORMAL SERVICE 28 RETIREMENT ALLOWANCE THAT EQUALS AN ALLOWANCE BASED ON THE 29 KETIRONENT SYSTEM. 31 SE	9	(2) may be paid in one of the optional forms of allowances under § 21–403
 (G) (1) This subsection applies only to an individual serving as a correctional case management specialist who is in that position on June 30, 2016, and elects to transfer membership to the Correctional Officers' Retirement System from the Employees' Pension System or the Employees' Retirement System on or before December 31, 2016. (2) Notwithstanding subsection (d) of this section, if an individual described in paragraph (1) of this subsection retires within 5 years after transferring into the Correctional Officers' Retirement System, the benefits payable with respect to the transferred service credit may not be greater than the benefits that would have been payable by the previous system with respect to the service if the individual had remained in the previous system. (c) (1) This subsection applies only to a correctional case management specialist, supervisor, or manager who has a combined total of 20 years of eligibility service as provided in subsection (a)(1)(ii) of this section. (c) (2) A member is entitled to receive a normal service retirement allowance that equals an allowance based on the creditable service the member has in the Correctional Officers' 		
12 A CORRECTIONAL CASE MANAGEMENT SPECIALIST WHO IS IN THAT POSITION ON 13 JUNE 30, 2016, AND ELECTS TO TRANSFER MEMBERSHIP TO THE CORRECTIONAL 14 OFFICERS' RETIREMENT SYSTEM FROM THE EMPLOYEES' PENSION SYSTEM OR 15 THE EMPLOYEES' RETIREMENT SYSTEM ON OR BEFORE DECEMBER 31, 2016. 16 (2) NOTWITHSTANDING SUBSECTION (D) OF THIS SECTION, IF AN 17 INDIVIDUAL DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION RETIRES WITHIN 18 5 VEARS AFTER TRANSFERRING INTO THE CORRECTIONAL OFFICERS' RETIREMENT 19 System, THE BENEFITS PAYABLE WITH RESPECT TO THE TRANSFERRED SERVICE 20 CREDIT MAY NOT BE GREATER THAN THE BENEFITS THAT WOULD HAVE BEEN 21 PAYABLE BY THE PREVIOUS SYSTEM WITH RESPECT TO THE SERVICE IF THE 22 INDIVIDUAL HAD REMAINED IN THE PREVIOUS SYSTEM. 23 (C) (1) 24 MANAGEMENT SPECIALIST, SUPERVISOR, OR MANAGER WHO HAS A COMBINED 25 TOTAL OF 20 YEARS OF ELIGIBILITY SERVICE AS PROVIDED IN SUBSECTION 26 (1) OF THIS SECTION. 27 (2) A MEMBER IS ENTITLED TO RECEIVE A NORMAL SERVICE 28 RETIREMENT ALLOWANCE THAT EQUALS AN ALLOWANCE BASED ON THE 29 CHITS SECTION. 21	10	
12 A CORRECTIONAL CASE MANAGEMENT SPECIALIST WHO IS IN THAT POSITION ON 13 JUNE 30, 2016, AND ELECTS TO TRANSFER MEMBERSHIP TO THE CORRECTIONAL 14 OFFICERS' RETIREMENT SYSTEM FROM THE EMPLOYEES' PENSION SYSTEM OR 15 THE EMPLOYEES' RETIREMENT SYSTEM ON OR BEFORE DECEMBER 31, 2016. 16 (2) NOTWITHSTANDING SUBSECTION (D) OF THIS SECTION, IF AN 17 INDIVIDUAL DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION RETIRES WITHIN 18 5 VEARS AFTER TRANSFERRING INTO THE CORRECTIONAL OFFICERS' RETIREMENT 19 System, THE BENEFITS PAYABLE WITH RESPECT TO THE TRANSFERRED SERVICE 20 CREDIT MAY NOT BE GREATER THAN THE BENEFITS THAT WOULD HAVE BEEN 21 PAYABLE BY THE PREVIOUS SYSTEM WITH RESPECT TO THE SERVICE IF THE 22 INDIVIDUAL HAD REMAINED IN THE PREVIOUS SYSTEM. 23 (C) (1) 24 MANAGEMENT SPECIALIST, SUPERVISOR, OR MANAGER WHO HAS A COMBINED 25 TOTAL OF 20 YEARS OF ELIGIBILITY SERVICE AS PROVIDED IN SUBSECTION 26 (1) OF THIS SECTION. 27 (2) A MEMBER IS ENTITLED TO RECEIVE A NORMAL SERVICE 28 RETIREMENT ALLOWANCE THAT EQUALS AN ALLOWANCE BASED ON THE 29 CHITS SECTION. 21	11	(G) (1) THIS SUBSECTION APPLIES ONLY TO AN INDIVIDUAL SERVING AS
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14 OFFICERS' RETIREMENT SYSTEM FROM THE EMPLOYEES' PENSION SYSTEM OR 15 THE EMPLOYEES' RETIREMENT SYSTEM ON OR BEFORE DECEMBER 31, 2016. 16 (2) NOTWITHSTANDING SUBSECTION (D) OF THIS SECTION, IF AN 17 INDIVIDUAL DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION RETIRES WITHIN 18 5 YEARS AFTER TRANSFERRING INTO THE CORRECTIONAL OFFICERS' RETIREMENT 19 SYSTEM, THE BENEFITS PAYABLE WITH RESPECT TO THE TRANSFERRED SERVICE 20 CREDIT MAY NOT BE GREATER THAN THE BENEFITS THAT WOULD HAVE BEEN 21 PAYABLE BY THE PREVIOUS SYSTEM WITH RESPECT TO THE SERVICE IF THE 22 INDIVIDUAL HAD REMAINED IN THE PREVIOUS SYSTEM. 23 (C) (1) 24 MANAGEMENT SPECIALIST, SUPERVISOR, OR MANAGER WHO HAS A COMBINED 25 TOTAL OF 20 YEARS OF ELIGIBILITY SERVICE AS PROVIDED IN SUBSECTION 26 (A)(1)(II) OF THIS SECTION. 27 (2) A MEMBER IS ENTITLED TO RECEIVE A NORMAL SERVICE 28 RETIREMENT ALLOWANCE THAT EQUALS AN ALLOWANCE BASED ON THE 29 CREDITABLE SERVICE THE MEMBER HAS IN THE CORRECTIONAL OFFICERS' 30 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1, 2016,	13	
15 THE EMPLOYEES' RETIREMENT SYSTEM ON OR BEFORE DECEMBER 31, 2016. 16 (2) Notwithstanding subsection (D) of this section, if an 17 INDIVIDUAL DESCRIBED IN PARAGRAPH (1) of this subsection retires within 18 5 years after transferring into the Correctional Officers' Retirement 19 System, the benefits payable with respect to the transferred service 20 Credit may not be greater than the benefits that would have been 21 Payable by the previous system with respect to the service if the 22 INDIVIDUAL HAD REMAINED IN THE PREVIOUS SYSTEM. 23 (C) (1) 24 MANAGEMENT SPEcialist, supervisor, or Manager who has a combined 25 TOTAL OF 20 YEARS OF ELIGIBILITY SERVICE AS PROVIDED IN SUBSECTION 26 (A)(1)(II) OF THIS SECTION. 27 (2) A member is entitled to receive a normal service 28 RETIREMENT ALLOWANCE THAT EQUALS AN ALLOWANCE BASED ON THE 29 RETIREMENT ALLOWANCE THE MEMBER HAS IN THE CORRECTIONAL OFFICERS' 30 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1, 2016,	-	
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31 <u>SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1, 2016,</u>		
	30	<u>RETIREMENT SISTEM.</u>
	Q1	SECTION 9 AND BE IT FURTHER ENACTED That on an hofere October 1, 2016
		the State Retirement Agency shall notify the individuals who are affected by this Act of

their right to transfer service credit from the Employees' Retirement System or the
 Employees' Pension System to the Correctional Officers' Retirement System.

1 SECTION 2. <u>3.</u> AND BE IT FURTHER ENACTED, That this Act shall take effect 2 July 1, 2016.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.