

# HOUSE BILL 982

K4, D2

7lr2139

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By: **Delegates Jacobs, Arentz, Carozza, Folden, and Jackson**

Introduced and read first time: February 8, 2017

Assigned to: Appropriations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Law Enforcement Officers' Pension System – Separation Requirement –**  
3 **Exemption**

4 FOR the purpose of exempting certain members of the Law Enforcement Officers' Pension  
5 System who are receiving a service retirement allowance from a prohibition on  
6 employment with certain entities within 45 days of retirement under certain  
7 circumstances; and generally relating to the exemption of certain members of the  
8 Law Enforcement Officers' Pension System from a certain prohibition on  
9 reemployment with certain entities.

10 BY repealing and reenacting, with amendments,  
11 Article – State Personnel and Pensions  
12 Section 26–403(f)  
13 Annotated Code of Maryland  
14 (2015 Replacement Volume and 2016 Supplement)

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

17 **Article – State Personnel and Pensions**

18 26–403.

19 (f) **(1)** [An] **EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**  
20 **SUBSECTION, AN** individual who is receiving a service retirement allowance under this  
21 title may not be employed within 45 days of the date the individual retired, on a permanent,  
22 temporary, or contractual basis, by:

23 **[(1)] (I)** the State or other participating employer; or

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1            **[(2)] (II)** a withdrawn participating governmental unit, if the retiree was  
2 an employee of the withdrawn participating governmental unit while the withdrawn  
3 governmental unit was a participating employer.

4            **(2) (I)** IN THIS PARAGRAPH, “DROP” MEANS THE DEFERRED  
5 RETIREMENT OPTION PROGRAM ESTABLISHED UNDER § 26-401.1 OF THIS  
6 SUBTITLE.

7            **(II)** PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY TO  
8 AN INDIVIDUAL WHO:

9                            1. WHILE SERVING AS SHERIFF OF A COUNTY OR  
10 BALTIMORE CITY, BECOMES A MEMBER AS A RESULT OF EMPLOYMENT IN THAT  
11 SAME CAPACITY AS SHERIFF;

12                           2. WHILE SERVING AS SHERIFF OF A COUNTY OR  
13 BALTIMORE CITY, JOINS THE DROP WHILE EMPLOYED IN THAT SAME CAPACITY AS  
14 SHERIFF;

15                           3. TERMINATES MEMBERSHIP IN THE DROP PRIOR TO  
16 THE END OF THE MEMBER’S TERM OF OFFICE AS SHERIFF; AND

17                           4. CONTINUES TO SERVE IN THE SAME CAPACITY AS  
18 SHERIFF AFTER TERMINATING MEMBERSHIP IN THE DROP.

19            SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
20 1, 2017.