

SENATE BILL 664

K4

71r2533
CF 71r2246

By: **Senators Edwards and Serafini**

Introduced and read first time: February 3, 2017

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Correctional Officers' Retirement System – Membership**

3 FOR the purpose of altering the membership of the Correctional Officers' Retirement
4 System to include certain individuals serving in certain positions in the Department
5 of Public Safety and Correctional Services; providing that certain members of the
6 Correctional Officers' Retirement System who meet certain criteria may receive a
7 normal service retirement allowance that is based on certain creditable service;
8 requiring the State Retirement Agency, on or before a certain date, to notify certain
9 individuals affected by this Act of their right to transfer certain service credit to the
10 Correctional Officers' Retirement System; and generally relating to membership in
11 the Correctional Officers' Retirement System.

12 BY repealing and reenacting, with amendments,
13 Article – State Personnel and Pensions
14 Section 25–201 and 25–401
15 Annotated Code of Maryland
16 (2015 Replacement Volume and 2016 Supplement)

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

19 **Article – State Personnel and Pensions**

20 25–201.

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

23 (1) correctional officers serving in any of the first six job classifications;

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (3) a detention center officer employed by a participating governmental
2 unit that on or after July 1, 2006, has elected to participate in the Correctional Officers'
3 Retirement System;

4 (4) an individual serving as a correctional dietary, maintenance, laundry,
5 or supply officer;

6 (5) an individual serving as a Maryland Correctional Enterprises officer,
7 officer trainee, plant supervisor, plant manager, or regional manager;

8 (6) a correctional officer serving as a security chief, a facility administrator,
9 an assistant warden, or a warden who:

10 (i) begins employment in that position on or after July 1, 2014; or

11 (ii) is serving in that position on June 30, 2014, and elects to transfer
12 to the Correctional Officers' Retirement System from:

13 1. the Employees' Pension System on or before December 31,
14 2014; or

15 2. the Employees' Retirement System on or before December
16 31, 2015; [and]

17 (7) an individual serving as a correctional case management specialist,
18 supervisor, or manager on or after July 1, 2016; AND

19 **(8) AN INDIVIDUAL SERVING AS A DEPARTMENT OF PUBLIC SAFETY**
20 **AND CORRECTIONAL SERVICES EMPLOYEE IN ONE OF THE FOLLOWING POSITIONS**
21 **ON OR AFTER JULY 1, 2017:**

22 **(I) AN ALCOHOL AND DRUG:**

23 **1. ASSOCIATE COUNSELOR, COUNSELOR LEAD,**
24 **COUNSELOR PROVISIONAL, OR COUNSELOR SUPERVISOR;**

25 **2. PROFESSIONAL COUNSELOR, COUNSELOR**
26 **PROVISIONAL, OR COUNSELOR SUPERVISOR; OR**

27 **3. SUPERVISED COUNSELOR OR COUNSELOR**
28 **PROVISIONAL;**

1 **(II) A MENTAL HEALTH PROFESSIONAL COUNSELOR, GRADUATE**
2 **PROFESSIONAL COUNSELOR, PROFESSIONAL COUNSELOR ADVANCED, OR**
3 **PROFESSIONAL SUPERVISOR;**

4 **(III) A PSYCHOLOGIST, PSYCHOLOGY ASSOCIATE, OR**
5 **PSYCHOLOGY ASSOCIATE DOCTORATE; OR**

6 **(IV) A SOCIAL WORKER, SOCIAL WORKER ADVANCED, SOCIAL**
7 **WORKER SUPERVISOR, OR SOCIAL WORK REGIONAL SUPERVISOR.**

8 (b) This subtitle does not apply to:

9 (1) an employee of the Baltimore City Jail as of June 30, 1991, who:

10 (i) became an employee of the Baltimore City Detention Center on
11 July 1, 1991; and

12 (ii) did not elect to become a member of the Correctional Officers'
13 Retirement System on that date;

14 (2) a detention center officer employed by a participating governmental
15 unit as a local detention center officer on the effective date of participation on or after July
16 1, 2006, who did not elect to become a member of the Correctional Officers' Retirement
17 System within 6 months of the effective date of participation; or

18 (3) a correctional officer serving as a security chief, a facility administrator,
19 an assistant warden, or a warden who is in that position on June 30, 2014, and does not
20 elect to transfer membership to the Correctional Officers' Retirement System from:

21 (i) the Employees' Pension System on or before December 31, 2014;
22 or

23 (ii) the Employees' Retirement System on or before December 31,
24 2015.

25 25-401.

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

27 (1) on or before the date of retirement, the member:

28 (i) has at least 20 years of eligibility service;

29 (ii) 1. is a correctional case management specialist, supervisor,
30 or manager on or before June 30, 2016;

1 **(I)** a correctional case management specialist, supervisor, or
2 manager who has a combined total of 20 years of eligibility service as provided in subsection
3 (a)(1)(ii) of this section; **OR**

4 **(II) A MEMBER SERVING IN A POSITION SPECIFIED IN §**
5 **25-201(A)(8) OF THIS TITLE WHO HAS A COMBINED TOTAL OF 20 YEARS OF**
6 **ELIGIBILITY SERVICE AS PROVIDED IN SUBSECTION (A)(1)(III) OF THIS SECTION.**

7 (2) A member is entitled to receive a normal service retirement allowance
8 that equals an allowance based on the creditable service the member has in the
9 Correctional Officers' Retirement System.

10 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1, 2017,
11 the State Retirement Agency shall notify the individuals who are affected by this Act of
12 their right to transfer service credit from the Employees' Retirement System or the
13 Employees' Pension System to the Correctional Officers' Retirement System.

14 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
15 1, 2017.