

HOUSE BILL 456

K4

11r0943
CF SB 606

By: **Delegate Jacobs**

Introduced and read first time: January 15, 2021

Assigned to: Appropriations

Committee Report: Favorable

House action: Adopted

Read second time: March 8, 2021

CHAPTER _____

1 AN ACT concerning

2 **Correctional Officers' Retirement System – Kent County**

3 FOR the purpose of requiring membership in the Correctional Officers' Retirement System
4 for certain local detention center officers of Kent County under certain
5 circumstances; providing that a certain individual is entitled to eligibility service and
6 creditable service that was earned before the effective date of Kent County's
7 participation in the Correctional Officers' Retirement System; providing that an
8 individual who receives certain service credit is not a member of and has no rights
9 to a benefit in the Employees' Pension System; providing for the transfer of creditable
10 service for a certain individual; providing for the transfer and crediting of certain
11 assets on the effective date of participation; and generally relating to Kent County's
12 participation in the Correctional Officers' Retirement System.

13 BY adding to
14 Article – State Personnel and Pensions
15 Section 31–2B–07
16 Annotated Code of Maryland
17 (2015 Replacement Volume and 2020 Supplement)

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

20 **Article – State Personnel and Pensions**

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 **31-2B-07.**

2 (A) THIS SECTION APPLIES TO AN INDIVIDUAL WHO IS A LOCAL DETENTION
3 CENTER OFFICER OF KENT COUNTY BEFORE THE EFFECTIVE DATE, AND WHO
4 REMAINS A LOCAL DETENTION CENTER OFFICER OF KENT COUNTY THROUGH THE
5 EFFECTIVE DATE.

6 (B) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, IF KENT COUNTY
7 BECOMES A PARTICIPATING GOVERNMENTAL UNIT IN THE CORRECTIONAL
8 OFFICERS' RETIREMENT SYSTEM, MEMBERSHIP IN THE CORRECTIONAL OFFICERS'
9 RETIREMENT SYSTEM IS MANDATORY FOR AN INDIVIDUAL DESCRIBED UNDER
10 SUBSECTION (A) OF THIS SECTION.

11 (C) IF KENT COUNTY COMMENCES PARTICIPATION IN THE CORRECTIONAL
12 OFFICERS' RETIREMENT SYSTEM IN ACCORDANCE WITH SUBSECTION (B) OF THIS
13 SECTION, AN INDIVIDUAL DESCRIBED UNDER SUBSECTION (A) OF THIS SECTION IS
14 ENTITLED TO ELIGIBILITY SERVICE AND CREDITABLE SERVICE IN THE
15 CORRECTIONAL OFFICERS' RETIREMENT SYSTEM FOR EMPLOYMENT WITH KENT
16 COUNTY BEFORE THE EFFECTIVE DATE.

17 (D) ON JOINING THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM
18 AND RECEIVING SERVICE CREDIT AS PROVIDED UNDER SUBSECTION (C) OF THIS
19 SECTION, AN INDIVIDUAL DESCRIBED UNDER SUBSECTION (A) OF THIS SECTION
20 SHALL:

21 (1) NO LONGER BE A MEMBER OF THE EMPLOYEES' PENSION
22 SYSTEM; AND

23 (2) HAVE NO FURTHER RIGHTS TO ANY BENEFIT IN THE EMPLOYEES'
24 PENSION SYSTEM.

25 (E) THE TRANSFER OF CREDITABLE SERVICE FOR AN INDIVIDUAL
26 DESCRIBED IN SUBSECTION (A) OF THIS SECTION WHO IS A MEMBER OF THE
27 EMPLOYEES' PENSION SYSTEM THROUGH THE EFFECTIVE DATE, AND WHO
28 TRANSFERS TO THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM UNDER THIS
29 SECTION, IS NOT GOVERNED BY TITLE 37 OF THIS ARTICLE.

30 (F) IF KENT COUNTY BECOMES A PARTICIPATING GOVERNMENTAL UNIT IN
31 THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM, § 31-2B-05(C) OF THIS
32 SUBTITLE SHALL GOVERN THE TRANSFER AND CREDITING OF ASSETS ON THE
33 EFFECTIVE DATE.

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

1 1, 2021.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.