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**By: Senator Della**

Introduced and read first time: January 25, 1996

Assigned to: Budget and Taxation

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Committee Report: Favorable

Senate action: Adopted

Read second time: March 25, 1996

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CHAPTER \_\_\_\_

1 AN ACT concerning

2 **Pensions - Transfer of Service Credit**

3 FOR the purpose of authorizing a State employee who is a member of a State retirement  
4 or pension system to transfer service credit from a local retirement or pension  
5 system under certain circumstances; providing for the application of this Act; and  
6 generally relating to the transfer of service credit from a local retirement or pension  
7 system to a State retirement or pension system.

8 BY repealing and reenacting, without amendments,  
9 Article - State Personnel and Pensions  
10 Section 37-202(a)  
11 Annotated Code of Maryland  
12 (1994 Volume and 1995 Supplement)

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

15 **Article - State Personnel and Pensions**

16 37-202.

17 (a) A member of a State or local retirement or pension system may transfer  
18 service credit attained as a result of that membership to another State or local retirement  
19 or pension system if the member, without incurring a break in employment, accepts  
20 employment or an office that:

21 (1) requires or allows the member to participate in the new system; and

22 (2) does not allow the member to continue to accrue benefits in the previous  
23 system.

1           SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding §  
2 37-202(a) of the State Personnel and Pensions Article, a State employeewho is a member  
3 of a State system may transfer service credit from a local retirement or pension system for  
4 a period of employment with a county or municipal corporation if the employee:

5                   (1) was employed by the State within 60 days after termination of the  
6 employment with the county or municipal corporation;

7                   (2) was not employed by any other employer after termination of  
8 employment with the county or municipal corporation and before employment with the  
9 State;

10                  (3) is not receiving any benefit under the former system;

11                  (4) waives entitlement to any benefits under the former system;and

12                  (5) submits a written request for the transfer of service credit on or before  
13 December 31, 1996.

14           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall be construed  
15 retroactively to apply to any individual who became a State employee onor after January  
16 1, 1990 through June 30, 1996.

17           SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect  
18 July 1, 1996.