

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL NO. 207  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Boozer” and substitute “Boozer, and Stone”.

AMENDMENT NO. 2

On page 1, strike in its entirety line 2 and substitute “Law Enforcement Officers’ Pension System - Membership”; in line 4, after “officers” insert “and certain Maryland Port Administration police officers”; in line 5, after “exceptions;” insert “requiring individuals for whom membership in the Law Enforcement Officers’ Pension System is optional to apply for membership by filing a written application with the State Retirement Agency on or before a certain date; prohibiting those individuals from becoming members on or after a certain date;”; strike beginning with “of” in line 5 down through “officers” in line 6; and after line 17, insert:

“BY repealing and reenacting, with amendments,

Article - State Personnel and Pensions

Section 26-201 and 26-202

Annotated Code of Maryland

(1994 Volume and 1996 Supplement)

(As enacted by Section 1 of this Act)”.

AMENDMENT NO. 3

On page 2, in line 14, strike “Membership” and substitute:

“(1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, MEMBERSHIP”;

in line 15, strike “who was employed”; in lines 16, 17, and 18, strike “(1)”, “(2)”, and “(3)”, respectively, and substitute “(I) WHO WAS EMPLOYED”, “(II) WHO WAS EMPLOYED”, and “(III) WHO WAS EMPLOYED”, respectively; in line 16, after “1990” insert “AND WHO ELECTS”

(Over)

MEMBERSHIP ON OR BEFORE DECEMBER 31, 1997"; in line 17, after "1995" insert "AND WHO ELECTS MEMBERSHIP ON OR BEFORE DECEMBER 31, 1997"; in line 19, after "1997" insert "AND WHO ELECTS MEMBERSHIP ON OR BEFORE DECEMBER 31, 1997"; after line 19, insert:

"(2) TO ELECT TO BE A MEMBER OF THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM, AN INDIVIDUAL SHALL FILE A WRITTEN APPLICATION WITH THE STATE RETIREMENT AGENCY.

(3) IF AN INDIVIDUAL DOES NOT ELECT MEMBERSHIP DURING THE APPLICABLE PERIOD SPECIFIED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE INDIVIDUAL MAY NOT BECOME A MEMBER OF THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM.";

after line 26, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article - State Personnel and Pensions

26-201.

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

(1) an employee of the Department of Natural Resources commissioned by the Secretary of Natural Resources as:

(i) a Natural Resources police officer; or

(ii) a law enforcement officer, other than a Natural Resources police officer;

(2) a law enforcement officer employed by the Maryland Investigative Services Unit;

[or]

(3) a member of the Maryland Transportation Authority Police Force who has the powers granted to a police officer under § 4-208 of the Transportation Article; OR

(4) A MEMBER OF THE MARYLAND PORT ADMINISTRATION POLICE FORCE WHO HAS THE POWERS GRANTED TO A POLICE OFFICER UNDER § 6-210 OF THE TRANSPORTATION ARTICLE.

(b) This subtitle does not apply to a Maryland Transportation Authority police officer OR A MARYLAND PORT ADMINISTRATION POLICE OFFICER who transferred from the Employees' Retirement System to the Employees' Pension System on or after December 1, 1996.

26-202.

(a) Except as provided in subsection (b) of this section, an individual described in § 26-201 of this subtitle is a member of the Law Enforcement Officers' Pension System as a condition of employment.

(b) (1) Subject to paragraph (2) of this subsection, membership in the Law Enforcement Officers' Pension System is optional for an individual described in § 26-201 of this subtitle:

(i) who was employed by the Department of Natural Resources on July 1, 1990 and who elects membership on or before December 31, 1997;

(ii) who was employed by the Maryland Investigative Services Unit on June 30, 1995 and who elects membership on or before December 31, 1997; [or]

(iii) who was employed by the Maryland Transportation Authority on June 30, 1997 and who elects membership on or before December 31, 1997; OR

(IV) WHO WAS EMPLOYED BY THE MARYLAND PORT ADMINISTRATION ON JUNE 30, 1998 AND WHO ELECTS MEMBERSHIP ON OR BEFORE DECEMBER 31, 1998.

(Over)

(2) To elect to be a member of the Law Enforcement Officers' Pension System an individual shall file a written application with the State Retirement Agency.

(3) If an individual does not elect membership during the applicable period specified under paragraph (1) of this subsection, the individual may not become a member of the Law Enforcement Officers' Pension System.”;

in line 27, strike “2.” and substitute “3.”; in the same line, after “That” insert “Section 1 of”; and after line 28, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect July 1, 1998.”.