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SB 691/96 - B&T

1997 Regular Session
7lr1543

By: ~~Senator McFadden~~ Senators McFadden, Kasemeyer, and Hoffman

Introduced and read first time: January 24, 1997

Assigned to: Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 4, 1997

CHAPTER _____

1 AN ACT concerning

2 ~~Baltimore City Deputy Sheriffs - Pensions and Retirement~~

3 Law Enforcement Officers' Pension System - Membership

4 FOR the purpose of authorizing certain Baltimore City Deputy Sheriffs to become
5 members of the Law Enforcement Officers' Pension System; providing for certain
6 exceptions; requiring individuals for whom membership in the Law Enforcement
7 Officers' Pension System is optional to apply for membership on or before a certain
8 date; prohibiting those individuals from electing membership on or after a certain
9 date; and generally relating to membership of ~~Baltimore City Deputy Sheriffs~~ in the
10 Law Enforcement Officers' Pension System.

11 BY repealing and reenacting, with amendments,
12 Article - State Personnel and Pensions
13 Section 26-201 and 26-202
14 Annotated Code of Maryland
15 (1994 Volume and 1996 Supplement)

16 BY repealing and reenacting, without amendments,
17 Article - State Personnel and Pensions
18 Section 26-203.1
19 Annotated Code of Maryland
20 (1994 Volume and 1996 Supplement)

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

2

1 **Article - State Personnel and Pensions**

2 26-201.

3 ~~This~~ (A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, THIS
4 subtitle applies only to:

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

7 (i) a Natural Resources police officer; or

8 (ii) a law enforcement officer, other than a Natural Resources police
9 officer; [or]

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

12 (3) A DEPUTY SHERIFF EMPLOYED BY THE BALTIMORE CITY SHERIFF'S
13 DEPARTMENT.

14 (B) THIS SUBTITLE DOES NOT APPLY TO A DEPUTY SHERIFF EMPLOYED BY
15 THE BALTIMORE CITY SHERIFF'S DEPARTMENT WHO TRANSFERRED FROM THE
16 EMPLOYEES' RETIREMENT SYSTEM TO THE EMPLOYEES' PENSION SYSTEM ON OR
17 AFTER DECEMBER 1, 1996.

18 26-202.

19 (a) Except as provided in subsection (b) of this section, an individual described in
20 § 26-201 of this subtitle is a member of the Law Enforcement Officers' Pension System as
21 a condition of employment.

22 (b) ~~Membership~~ (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION,
23 MEMBERSHIP in the Law Enforcement Officers' Pension System is optional for an
24 individual described in § 26-201 of this subtitle ~~who was employed:~~

25 ~~(1)~~ (I) WHO WAS EMPLOYED by the Department of Natural Resources
26 on July 1, 1990 AND WHO ELECTS MEMBERSHIP ON OR BEFORE DECEMBER 31, 1997;
27 [or]

28 ~~(2)~~ (II) WHO WAS EMPLOYED by the Maryland Investigative Services Unit
29 on June 30, 1995 AND WHO ELECTS MEMBERSHIP ON OR BEFORE DECEMBER 31, 1997;
30 OR

31 ~~(3)~~ (III) WHO WAS EMPLOYED BY THE BALTIMORE CITY SHERIFF'S
32 DEPARTMENT ON JUNE 30, 1997 AND WHO ELECTS MEMBERSHIP ON OR BEFORE
33 DECEMBER 31, 1997.

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

37 (3) IF AN INDIVIDUAL DOES NOT ELECT MEMBERSHIP DURING THE
38 APPLICABLE PERIOD SPECIFIED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE

3

1 INDIVIDUAL MAY NOT BECOME A MEMBER OF THE LAW ENFORCEMENT OFFICERS'
2 PENSION SYSTEM.

3 26-203.1.

4 For members who transfer from the Employees' Pension System or the Employees'
5 Retirement System, the Board of Trustees shall transfer to the accumulation fund of the
6 Law Enforcement Officers' Pension System the employer contributions that were made to
7 the Employees' Retirement System and the Employees' Pension System on behalf of
8 those members who transferred, plus the interest earned on those contributions through
9 the date of transfer.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 July 1, 1997.