
By: **Delegates W. Baker, Conway, and Bozman**
Introduced and read first time: January 28, 1998
Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Correctional Officers' Retirement System - Membership - Juvenile**
3 **Transportation Officers**

4 FOR the purpose of providing that certain juvenile transportation officers of the
5 Department of Juvenile Justice be members of the Correctional Officers'
6 Retirement System as a condition of employment of the State; providing for the
7 vesting of retirement benefits; and generally relating to retirement benefits for
8 juvenile transportation officers employed by the Department of Juvenile Justice.

9 BY repealing and reenacting, with amendments,
10 Article - State Personnel and Pensions
11 Section 25-201, 25-401, and 29-302
12 Annotated Code of Maryland
13 (1997 Replacement Volume)

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

16 **Article - State Personnel and Pensions**

17 25-201.

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

20 (1) correctional officers serving in any of the first six job classifications;
21 [and]

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

23 (3) JUVENILE TRANSPORTATION OFFICERS OF THE DEPARTMENT OF
24 JUVENILE JUSTICE.

25 (b) This subtitle does not apply to an employee of the Baltimore City Jail as of
26 June 30, 1991, who:

1 (1) became an employee of the Baltimore City Detention Center on July
2 1, 1991; and

3 (2) who did not elect to become a member of the Correctional Officers'
4 Retirement System on that date.

5 25-401.

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

7 (1) on or before the date of retirement, the member has at least 20 years
8 of eligibility service;

9 (2) for at least 5 years immediately before retirement, the member was a
10 security attendant at Clifton T. Perkins Hospital Center, a correctional officer in any
11 of the first six job classifications, A TRANSPORTATION EMPLOYEE OF THE
12 DEPARTMENT OF JUVENILE JUSTICE, or in a combination of these positions; and

13 (3) the member completes and submits a written application to the
14 Board of Trustees stating the date when the member desires to retire.

15 (b) On retirement under this section, a member is entitled to receive a normal
16 service retirement allowance that equals one fifty-fifth of the member's average final
17 compensation multiplied by the number of years of creditable service.

18 29-302.

19 (a) This section applies only to members of:

20 (1) the Correctional Officers' Retirement System;

21 (2) the Employees' Retirement System;

22 (3) the State Police Retirement System; and

23 (4) the Teachers' Retirement System.

24 (b) (1) A member may elect to receive a vested allowance if:

25 (i) the member is separated from employment other than by death
26 or retirement; and

27 (ii) subject to paragraph (2) of this subsection, the member has at
28 least 5 years of eligibility service.

29 (2) A former member of the State Police Retirement System who
30 separated from employment on or before June 30, 1989, must have at least 15 years
31 of eligibility service to elect a vested allowance.

1 (3) A member is deemed to have elected a vested allowance, unless the
2 member requests the return of the accumulated contributions before membership
3 ends.

4 (c) A vested allowance is a deferred allowance starting at:

5 (1) normal retirement age for members of:

6 (i) the Employees' Retirement System;

7 (ii) the State Police Retirement System; and

8 (iii) the Teachers' Retirement System;

9 (2) age 55 for a member of the Correctional Officers' Retirement System
10 who is a correctional officer in the first six job classifications; [or]

11 (3) age 60 for a member of the Correctional Officers' Retirement System
12 who is a maximum security attendant at the Clifton T. Perkins Hospital Center; OR

13 (4) AGE 60 FOR A MEMBER OF THE CORRECTIONAL OFFICERS'
14 RETIREMENT SYSTEM WHO IS A TRANSPORTATION EMPLOYEE OF THE DEPARTMENT
15 OF JUVENILE JUSTICE.

16 (d) A vested allowance:

17 (1) is computed as a normal service retirement allowance on the basis of
18 the former member's creditable service and average final compensation at the time of
19 separation from employment; and

20 (2) may be paid in one of the optional forms of allowances under §
21 21-403 of this article.

22 (e) If a member separated from employment on or before June 30, 1990,
23 unused sick leave reported by the member's employer at the time of separation from
24 employment is creditable service for computing the vested allowance.

25 (f) (1) If a former member who elected a vested allowance requests the
26 return of accumulated contributions before payment of the vested allowance begins,
27 the Board of Trustees shall return the accumulated contributions to the former
28 member.

29 (2) When accumulated contributions are returned to a former member,
30 the former member is not entitled to further benefits on account of the former
31 member's previous membership.

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
33 October 1, 1998.