

HOUSE BILL 405

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1998 Regular Session
8r1555
CF 8r2240

By: **Delegate Heller**

Introduced and read first time: February 2, 1998

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Port Administration Police Officers - Pensions and Retirement**

3 FOR the purpose of authorizing certain Maryland Port Administration police officers
4 to become members of the Law Enforcement Officers' Pension System; providing
5 for certain exceptions; making stylistic changes; providing for a delayed effective
6 date; and generally relating to membership of Maryland Port Administration
7 police officers in the Law Enforcement Officers' Pension System.

8 BY repealing and reenacting, with amendments,
9 Article - State Personnel and Pensions
10 Section 26-201 and 26-202
11 Annotated Code of Maryland
12 (1997 Replacement Volume)

13 BY repealing and reenacting, without amendments,
14 Article - State Personnel and Pensions
15 Section 26-203.1
16 Annotated Code of Maryland
17 (1997 Replacement Volume)

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

20 **Article - State Personnel and Pensions**

21 26-201.

22 (a) Except as provided in [subsections (b) and (c)] SUBSECTION (B) of this
23 section, this subtitle applies only to:

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

26 (i) a Natural Resources police officer; or

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

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

5 (3) a member of the Maryland Transportation Authority Police Force
6 who has the powers granted to a police officer under § 4-208 of the Transportation
7 Article; [or]

8 (4) a deputy sheriff employed by the Baltimore City Sheriff's
9 Department; OR

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

13 (b) This subtitle does not apply to:

14 (1) a Maryland Transportation Authority police officer who transferred
15 from the Employees' Retirement System to the Employees' Pension System on or after
16 December 1, 1996[.

17 (c) This subtitle does not apply to];

18 (2) a deputy sheriff employed by the Baltimore City Sheriff's
19 Department who transferred from the Employees' Retirement System to the
20 Employees' Pension System on or after December 1, 1996; OR

21 (3) A MEMBER OF THE MARYLAND PORT ADMINISTRATION POLICE
22 FORCE WHO TRANSFERRED FROM THE EMPLOYEES' RETIREMENT SYSTEM TO THE
23 EMPLOYEES' PENSION SYSTEM ON OR AFTER DECEMBER 1, 1997.

24 26-202.

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

28 (b) (1) Subject to paragraph (2) of this subsection, membership in the Law
29 Enforcement Officers' Pension System is optional for an individual described in §
30 26-201 of this subtitle:

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

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

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

1 (iv) who was employed by the Baltimore City Sheriff's Department
2 on June 30, 1997 and who elects membership on or before December 31, 1997; OR

3 (V) WHO WAS EMPLOYED BY THE MARYLAND PORT
4 ADMINISTRATION POLICE FORCE ON JUNE 30, 1999 AND WHO ELECTS MEMBERSHIP
5 ON OR BEFORE DECEMBER 31, 1999.

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

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

12 26-203.1.

13 For members who transfer from the Employees' Pension System or the
14 Employees' Retirement System, the Board of Trustees shall transfer to the
15 accumulation fund of the Law Enforcement Officers' Pension System the employer
16 contributions that were made to the Employees' Retirement System and the
17 Employees' Pension System on behalf of those members who transferred, plus the
18 interest earned on those contributions through the date of transfer.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 July 1, 1999.