

SENATE BILL 433

Unofficial Copy  
P4

1998 Regular Session  
8lr2240  
CF HB 405

---

By: **Senators Stone and Fry**

Introduced and read first time: February 6, 1998

Assigned to: Budget and Taxation

---

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.