

HOUSE BILL 176

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2000 Regular Session
0lr1048

By: **Delegate Proctor**
Introduced and read first time: January 20, 2000
Assigned to: Appropriations

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 21, 2000

CHAPTER _____

1 AN ACT concerning

2 **State Police Retirement System - Military Service Credit**

3 FOR the purpose of authorizing certain members, former members, or retirees of the
4 State Police Retirement System to receive military service credit for certain
5 service for which the member will receive other retirement benefits; providing
6 for the application of this Act; providing for the termination of this Act; and
7 generally relating to military service credit for members, former members, or
8 retirees of the State Police Retirement System.

9 ~~BY repealing and reenacting, with amendments,~~
10 ~~Article State Personnel and Pensions~~
11 ~~Section 38-104~~
12 ~~Annotated Code of Maryland~~
13 ~~(1997 Replacement Volume and 1999 Supplement)~~

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 ~~38-104.~~

18 (a) ~~Except as provided in subsection (b) of this section, a member of a State~~
19 ~~system, who has not met the conditions set forth in § 38-103(a)(2) through (4) of this~~
20 ~~subtitle, is entitled to receive service credit for military service only on the attainment~~
21 ~~of 10 years of creditable service.~~

1 (b) (1) A member of a State system may not receive credit for that military
 2 service if the member receives credit for military service from another retirement
 3 system for which retirement benefits have been or will be received by the member.

4 (2) Paragraph (1) of this subsection does not apply to:

5 (i) credit for military service provided under:

6 1. the Social Security Act;

7 2. the National Railroad Retirement Act; or

8 3. Title 3 or Title 10, Chapter 67, §§ 1331 through 1337 of the
 9 United States Code; [or]

10 (ii) disability payments from a pension or retirement system; OR

11 (iii) A MEMBER, FORMER MEMBER, OR RETIREE OF THE STATE
 12 POLICE RETIREMENT SYSTEM WHO WAS HIRED BY THE DEPARTMENT OF STATE
 13 POLICE AS AN AVIATOR TO OPERATE A HELICOPTER FOR THE STATE EMERGENCY
 14 MEDICAL SYSTEM.

15 (3) Military service credit under this section may not exceed 5 years §
 16 38-104(b)(1) of the State Personnel and Pensions Article does not apply to a member,
 17 former member, or retiree of the State Police Retirement System who was hired by
 18 the Department of State Police as an aviator to operate a helicopter for the State
 19 emergency medical system.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
 21 construed retroactively and shall be applied to and interpreted to affect individuals
 22 hired by the Department of State Police on or after July 1, 1987.

23 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
 24 July 1, 2000. It shall remain effective for a period of 1 month and, at the end of July
 25 31, 2000, with no further action required by the General Assembly, this Act shall be
 26 abrogated and of no further force and effect.