

HOUSE BILL 604

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2000 Regular Session
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By: **Chairman, Appropriations Committee (Departmental - Budget and Management)**

Introduced and read first time: February 9, 2000

Assigned to: Appropriations

Committee Report: Favorable

House action: Adopted

Read second time: March 21, 2000

CHAPTER _____

1 AN ACT concerning

2 **Law Enforcement Officers' Pension System - Benefits**

3 FOR the purpose of altering the contribution rate of certain members of the Law
4 Enforcement Officers' Pension System; altering the formula for computing the
5 retirement allowance of certain members of the Law Enforcement Officers'
6 Pension System; establishing a Deferred Retirement Option Program for certain
7 members in the System; altering the criteria for which certain members of the
8 System may be granted an accidental disability retirement allowance; altering
9 the cost-of-living adjustment to be received by certain members of the System;
10 providing for a contingency; and generally relating to the Law Enforcement
11 Officers' Pension System.

12 BY adding to
13 Article - State Personnel and Pensions
14 New part designation "Part I. Membership Generally" to immediately precede
15 Section 26-201
16 Annotated Code of Maryland
17 (1997 Replacement Volume and 1999 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article - State Personnel and Pensions
20 Section 26-204, 26-206, 26-302, 26-401, 29-104, 29-109, 29-303, 29-404, and
21 29-425
22 Annotated Code of Maryland
23 (1997 Replacement Volume and 1999 Supplement)

1 BY repealing
2 Article - State Personnel and Pensions
3 Section 26-303
4 Annotated Code of Maryland
5 (1997 Replacement Volume and 1999 Supplement)

6 BY adding
7 Article - State Personnel and Pensions
8 Section 26-209, 26-210, and 26-211 to be under the new part "Part II. Law
9 Enforcement Officers' Modified Pension Benefit"; 26-303, 26-307.1, and
10 26-401.1
11 Annotated Code of Maryland
12 (1997 Replacement Volume and 1999 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the new part designation "Part I. Membership Generally" be
15 added to immediately precede Section 26-201 of Article - State Personnel and
16 Pensions of the Annotated Code of Maryland.

17 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
18 read as follows:

19 **Article - State Personnel and Pensions**

20 26-204.

21 (a) Except as provided in subsection (b) of this section, a member's
22 contribution rate is [5] 4% of the [part of the] member's earnable compensation
23 [that exceeds the taxable wage base for each year].

24 (b) (1) THIS SUBSECTION APPLIES ONLY TO A MEMBER WHO:

25 (I) TRANSFERRED TO THE LAW ENFORCEMENT OFFICERS'
26 PENSION SYSTEM FROM THE EMPLOYEES' RETIREMENT SYSTEM; AND

27 (II) DID NOT ELECT TO PARTICIPATE IN THE LAW ENFORCEMENT
28 OFFICERS' MODIFIED PENSION BENEFIT ON OR BEFORE DECEMBER 31, 2000 AS
29 PROVIDED IN § 26-211 OF THIS ARTICLE.

30 (2) The contribution rate for a member who has transferred from the
31 Employees' Retirement System is the rate set under:

32 (i) Section 22-214(a) of this article, for a member who had elected
33 Selection A (Additional member contributions) under § 22-219 of this article; or

34 (ii) Section 22-214(b) of this article, for a member who had elected
35 Selection B (Limited cost-of-living adjustment) under § 22-220 of this article.

1 26-206.

2 (A) [Membership] EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS
3 SECTION, MEMBERSHIP ends on separation from employment.

4 (B) (1) THIS SUBSECTION APPLIES ONLY TO A MEMBER WHO IS SUBJECT TO
5 THE LAW ENFORCEMENT OFFICERS' MODIFIED PENSION BENEFIT UNDER PART II OF
6 THIS SUBTITLE.

7 (2) MEMBERSHIP ENDS IF THE MEMBER:

8 (I) IS SEPARATED FROM EMPLOYMENT FOR MORE THAN 4 YEARS;

9 (II) WITHDRAWS THE MEMBER'S ACCUMULATED CONTRIBUTIONS;

10 (III) BECOMES A RETIREE; OR

11 (IV) DIES.

12 26-207. RESERVED.

13 26-208. RESERVED.

14 PART II. LAW ENFORCEMENT OFFICERS' MODIFIED PENSION BENEFIT.

15 26-209.

16 (A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, THIS PART II
17 OF THIS SUBTITLE APPLIES TO AN INDIVIDUAL WHO IS A MEMBER OF THE LAW
18 ENFORCEMENT OFFICERS' PENSION SYSTEM.

19 (B) THIS PART II OF THIS SUBTITLE DOES NOT APPLY TO AN INDIVIDUAL WHO:

20 (1) IS A MEMBER OF THE LAW ENFORCEMENT OFFICERS' PENSION
21 SYSTEM;

22 (2) TRANSFERRED TO THE LAW ENFORCEMENT OFFICERS' PENSION
23 SYSTEM FROM THE EMPLOYEES' RETIREMENT SYSTEM; AND

24 (3) DID NOT ELECT TO PARTICIPATE IN THE CONTRIBUTORY LAW
25 ENFORCEMENT OFFICERS' MODIFIED PENSION BENEFIT AS PROVIDED IN § 26-211 OF
26 THIS ARTICLE.

27 26-210.

28 (A) A MEMBER WHO IS SUBJECT TO THIS PART II OF THIS SUBTITLE SHALL:

29 (1) RECEIVE AN ALLOWANCE FOR ALL CREDITABLE SERVICE AS
30 FOLLOWS:

1 (I) FOR NORMAL SERVICE RETIREMENT AS PROVIDED IN §
2 26-401(B) OF THIS TITLE;

3 (II) FOR ORDINARY DISABILITY RETIREMENT AS PROVIDED IN §
4 29-108 OF THIS ARTICLE; AND

5 (III) FOR ACCIDENTAL DISABILITY RETIREMENT AS PROVIDED IN §§
6 29-109(C) AND 29-110 OF THIS ARTICLE;

7 (2) HAVE THE ALLOWANCE ADJUSTED AS PROVIDED IN TITLE 29,
8 SUBTITLE 4, PART VI OF THIS ARTICLE; AND

9 (3) MAKE MEMBER CONTRIBUTIONS AT THE RATE SPECIFIED IN §
10 26-204(A) OF THIS TITLE.

11 (B) A MEMBER WHO IS NOT SUBJECT TO THIS PART II OF THIS SUBTITLE
12 SHALL RECEIVE AN ALLOWANCE FOR ACCIDENTAL DISABILITY RETIREMENT AS
13 PROVIDED IN §§ 29-109(C) AND 29-110 OF THIS ARTICLE.

14 26-211.

15 (A) THIS SECTION APPLIES ONLY TO A MEMBER OF THE LAW ENFORCEMENT
16 OFFICERS' PENSION SYSTEM WHO TRANSFERRED TO THE LAW ENFORCEMENT
17 OFFICERS' PENSION SYSTEM FROM THE EMPLOYEES' RETIREMENT SYSTEM.

18 (B) ON OR BEFORE DECEMBER 31, 2000, A MEMBER MAY ELECT TO
19 PARTICIPATE IN THE LAW ENFORCEMENT OFFICERS' MODIFIED PENSION BENEFIT
20 UNDER PART II OF THIS SUBTITLE BY SUBMITTING AN ELECTION ON A FORM
21 PROVIDED BY THE STATE RETIREMENT AGENCY.

22 (C) (1) AN ELECTION BY A MEMBER UNDER THIS SECTION IS IRREVOCABLE.

23 (2) SUBJECT TO § 26-401(A)(2) OF THIS ARTICLE, AN ELECTION BY A
24 MEMBER UNDER THIS SECTION SHALL BE EFFECTIVE ON THE DATE THAT IT IS FILED
25 WITH THE STATE RETIREMENT AGENCY.

26 (3) THE BOARD OF TRUSTEES MAY NOT ACCEPT AN ELECTION TO
27 PARTICIPATE IN THE LAW ENFORCEMENT OFFICERS' MODIFIED PENSION BENEFIT
28 THAT IS FILED WITH THE STATE RETIREMENT AGENCY AFTER 5 P.M. ON DECEMBER
29 29, 2000.

30 26-302.

31 (a) Subject to subsection (b) AND (C) of this section, a member is entitled to
32 eligibility service for periods of employment while a member of the Law Enforcement
33 Officers' Pension System.

34 (b) (1) If a member completes at least 500 hours of employment while a
35 member in any fiscal year, the member is entitled to 1 year of eligibility service.

1 (2) Except in the first and last fiscal years, a member may not receive
2 any eligibility service for a fiscal year in which the member completes less than 500
3 hours of employment while a member.

4 (3) In the first and last fiscal years, if a member completes less than 500
5 hours of employment while a member, the Board of Trustees shall prorate the
6 eligibility service based on the number of hours worked.

7 (C) IF A MEMBER WHO IS SUBJECT TO THE LAW ENFORCEMENT OFFICERS'
8 MODIFIED PENSION BENEFIT UNDER SUBTITLE 2, PART II OF THIS TITLE COMPLETES
9 LESS THAN 500 HOURS OF EMPLOYMENT WHILE A MEMBER, THE BOARD OF
10 TRUSTEES SHALL PRORATE THE MEMBER'S ELIGIBILITY SERVICE BASED ON THE
11 NUMBER OF HOURS WORKED.

12 [26-303.

13 (a) In this section, "break in service" means a period of separation from
14 employment in a fiscal year after the one in which a member first becomes employed,
15 if during that fiscal year the member does not complete more than 350 hours of
16 employment while a member.

17 (b) A former member is entitled to the eligibility service to which the former
18 member was entitled before the separation from employment if:

19 (1) the former member has not incurred a break in service;

20 (2) the former member was entitled to a vested allowance at the time of
21 separation from employment; or

22 (3) (i) the former member has completed 1 year of eligibility service
23 after a break in service; and

24 (ii) the number of consecutive years in which the member incurred
25 a break in service is less than the years of eligibility service as a member before the
26 break in service.

27 (c) To determine if a former member is eligible for prior eligibility service
28 under subsection (b)(3)(ii) of this section, the Board of Trustees shall determine the
29 number of years of prior eligibility service:

30 (1) as of the day the former member separated from employment; but

31 (2) excluding any eligibility service lost because of a prior break in
32 service.]

33 26-303.

34 (A) THIS SECTION APPLIES TO A MEMBER OF THE LAW ENFORCEMENT
35 OFFICERS' PENSION SYSTEM WHO:

1 (1) IS SUBJECT TO THE LAW ENFORCEMENT OFFICERS' MODIFIED
2 PENSION BENEFIT UNDER SUBTITLE 2, PART II OF THIS TITLE; AND

3 (2) HAS NOT WITHDRAWN THE MEMBER'S ACCUMULATED
4 CONTRIBUTIONS UNDER § 29-303(H) OF THIS ARTICLE.

5 (B) A MEMBER IS ENTITLED TO THE ELIGIBILITY SERVICE TO WHICH THE
6 MEMBER WAS ENTITLED BEFORE THE SEPARATION FROM EMPLOYMENT IF THE
7 MEMBER:

8 (1) WAS ENTITLED TO A VESTED ALLOWANCE FROM THE LAW
9 ENFORCEMENT OFFICERS' PENSION SYSTEM AT THE TIME OF THE SEPARATION
10 FROM EMPLOYMENT; AND

11 (2) HAS COMPLETED 1 YEAR OF EMPLOYMENT AS A MEMBER OF THE
12 LAW ENFORCEMENT OFFICERS' PENSION SYSTEM WHO IS SUBJECT TO THE LAW
13 ENFORCEMENT OFFICERS' MODIFIED PENSION BENEFIT UNDER SUBTITLE 2, PART II
14 OF THIS TITLE.

15 26-307.1.

16 (A) A MEMBER MAY PURCHASE SERVICE CREDIT AS PROVIDED IN
17 SUBSECTION (B) OF THIS SECTION FOR PERIODS OF EMPLOYMENT DESCRIBED IN
18 SUBSECTION (C) OF THIS SECTION FOR WHICH THE MEMBER IS NOT OTHERWISE
19 ENTITLED.

20 (B) (1) A MEMBER WHO PURCHASES SERVICE CREDIT UNDER THIS SECTION
21 SHALL:

22 (I) COMPLETE A CLAIM FOR THE SERVICE CREDIT AND FILE IT
23 WITH THE BOARD OF TRUSTEES ON A FORM THAT THE BOARD OF TRUSTEES
24 PROVIDES; AND

25 (II) PAY TO THE BOARD OF TRUSTEES IN A SINGLE PAYMENT THE
26 MEMBER CONTRIBUTIONS THE MEMBER WOULD HAVE MADE FOR THE PERIOD OF
27 EMPLOYMENT FOR WHICH SERVICE CREDIT IS BEING PURCHASED PLUS REGULAR
28 INTEREST TO THE DATE OF PAYMENT.

29 (2) A MEMBER MAY PAY FOR SERVICE CREDIT PURCHASED UNDER THIS
30 SECTION AT ANY TIME BEFORE RETIREMENT.

31 (C) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A MEMBER MAY
32 PURCHASE SERVICE CREDIT FOR A PERIOD OF EMPLOYMENT AS A MEMBER OF THE
33 LAW ENFORCEMENT OFFICERS' PENSION SYSTEM IF THE MEMBER:

34 (I) HAS WITHDRAWN THE MEMBER'S ACCUMULATED
35 CONTRIBUTIONS AFTER A PRIOR TERMINATION OF MEMBERSHIP; AND

1 (II) WAS SUBJECT TO THE MODIFIED PENSION BENEFIT UNDER
2 SUBTITLE 2, PART II OF THIS TITLE WHEN THE MEMBER PREVIOUSLY TERMINATED
3 MEMBERSHIP IN THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM.

4 (2) A MEMBER MAY NOT PURCHASE ELIGIBILITY SERVICE CREDIT THAT
5 EXCEEDS THE MEMBER'S CREDITABLE SERVICE CREDIT.

6 26-401.

7 (a) (1) Subject to paragraph (2) of this subsection, a member may retire with
8 a normal service retirement allowance if:

9 (i) on or before the date of retirement, the member:

10 1. has at least 25 years of eligibility service; or

11 2. is at least 50 years old; and

12 (ii) the member completes and submits a written application to the
13 Board of Trustees on the form that the Board of Trustees provides stating the date
14 when the member desires to retire.

15 (2) A member may not retire before the first day of the month after
16 employment ends.

17 (b) (1) Except as provided in [paragraph] PARAGRAPHS (2) AND (3) of this
18 subsection, on retirement under this section, a member is entitled to receive a normal
19 service retirement allowance that equals the number of years of the member's
20 creditable service multiplied by[:

21 (i) 1% of the member's average final compensation that is not in
22 excess of the Social Security integration level; and

23 (ii) 1.7% of the member's average final compensation that exceeds
24 the Social Security integration level] 2% OF THE MEMBER'S AVERAGE FINAL
25 COMPENSATION.

26 (2) A MEMBER'S NORMAL SERVICE RETIREMENT ALLOWANCE UNDER
27 PARAGRAPH (1) OF THIS SUBSECTION MAY NOT EXCEED 60% OF THE MEMBER'S
28 AVERAGE FINAL COMPENSATION.

29 (3) (I) THIS PARAGRAPH APPLIES ONLY TO A MEMBER WHO IS NOT
30 SUBJECT TO THE LAW ENFORCEMENT OFFICERS' MODIFIED PENSION BENEFIT
31 UNDER SUBTITLE 2, PART II OF THIS TITLE.

32 (II) [As to a member who has transferred from the Employees'
33 Retirement System and who has elected Selection A (Additional member
34 contributions) or Selection B (Limited cost-of-living adjustment), on] ON retirement
35 under this [section] PARAGRAPH, the member is entitled to receive a normal service
36 retirement allowance that equals:

1 1. 2% of the member's average final compensation multiplied
2 by each year of the member's first 30 years of creditable service; and

3 2. 1% of the member's average final compensation multiplied
4 by each year of creditable service in excess of 30 years.

5 (c) (1) This subsection applies only to a member who:

6 (i) has retired under subsection (b)(1) of this section; and

7 (ii) is under the age of 62 years.

8 (2) On retirement, a member shall receive a supplemental service
9 retirement allowance that equals the difference between:

10 (i) the member's normal service retirement allowance; and

11 (ii) 1.7% of the member's average final compensation for each year
12 of creditable service.]

13 29-104.

14 (a) Except as provided in subsection (c) of this section and subject to
15 subsection (d) of this section, an application for disability retirement must be
16 submitted before the date membership ends.

17 (b) (1) (I) This subsection applies only to an application for an ordinary or
18 accidental disability retirement allowance under the Employees' Pension System,
19 Local Fire and Police System, Law Enforcement Officers' Pension System, or the
20 Teachers' Pension System.

21 (II) THIS SUBSECTION DOES NOT APPLY TO A MEMBER OF THE LAW
22 ENFORCEMENT OFFICERS' PENSION SYSTEM WHO IS SUBJECT TO THE LAW
23 ENFORCEMENT OFFICERS' MODIFIED PENSION BENEFIT UNDER TITLE 26, SUBTITLE
24 2, PART II OF THIS ARTICLE.

25 (2) For the purpose of submitting an application for disability,
26 membership continues for 3 years after paid employment ends.

27 (c) (1) Except as provided in [paragraph] PARAGRAPHS (2) AND (3) of this
28 subsection, the Board of Trustees may accept an application for ordinary, accidental,
29 or special disability retirement from a former member within 36 months after the
30 month membership ended if the former member proves to the satisfaction of the
31 medical board that failure to submit an application while a member was attributable
32 solely to physical or mental incapacity during the filing period.

33 (2) The Board of Trustees may accept an application for ordinary or
34 accidental disability retirement from a former member of the Teachers' Retirement
35 System within 12 months after the month membership ended if the former member of
36 the Teachers' Retirement System proves to the satisfaction of the medical board that

1 failure to submit an application while a member of the Teachers' Retirement System
2 was attributable solely to physical or mental incapacity during the filing period.

3 (3) (I) THIS PARAGRAPH APPLIES ONLY TO A FORMER MEMBER OF
4 THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM WHO IS SUBJECT TO THE LAW
5 ENFORCEMENT OFFICERS' MODIFIED PENSION BENEFIT UNDER TITLE 26, SUBTITLE
6 2, PART II OF THIS ARTICLE.

7 (II) THE BOARD OF TRUSTEES MAY ACCEPT AN APPLICATION FOR
8 ORDINARY OR ACCIDENTAL DISABILITY RETIREMENT FROM A FORMER MEMBER OF
9 THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM WITHIN 24 MONTHS AFTER
10 THE MONTH MEMBERSHIP ENDED IF THE FORMER MEMBER OF THE LAW
11 ENFORCEMENT OFFICERS' PENSION SYSTEM PROVES TO THE SATISFACTION OF THE
12 MEDICAL BOARD THAT FAILURE TO SUBMIT AN APPLICATION WHILE A MEMBER OF
13 THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM WAS ATTRIBUTABLE SOLELY
14 TO PHYSICAL OR MENTAL INCAPACITY DURING THE FILING PERIOD.

15 (4) If the Board of Trustees accepts a disability retirement application
16 under this subsection and grants a disability retirement allowance, the retirement
17 allowance begins as of the first day of the month after the Board of Trustees receives
18 the application.

19 (d) (1) This subsection does not apply to an application for special disability
20 under the State Police Retirement System OR AN APPLICATION FOR ACCIDENTAL
21 DISABILITY UNDER THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM.

22 (2) The Board of Trustees may not accept an application for accidental
23 disability filed by a member or former member more than 5 years after the date of the
24 claimed accident.

25 29-109.

26 (a) This section does not apply to the State Police Retirement System.

27 (b) [The] EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, THE
28 Board of Trustees shall grant an accidental disability retirement allowance to a
29 member if:

30 (1) the member is totally and permanently incapacitated for duty as the
31 natural and proximate result of an accident that occurred in the actual performance
32 of duty at a definite time and place without willful negligence by the member; and

33 (2) the medical board certifies that:

34 (i) the member is mentally or physically incapacitated for the
35 further performance of the normal duties of the member's position;

36 (ii) the incapacity is likely to be permanent; and

37 (iii) the member should be retired.

1 (C) THE BOARD OF TRUSTEES SHALL GRANT AN ACCIDENTAL DISABILITY
2 RETIREMENT ALLOWANCE TO A MEMBER OF THE LAW ENFORCEMENT OFFICERS'
3 PENSION SYSTEM IF:

4 (1) THE MEMBER IS TOTALLY AND PERMANENTLY INCAPACITATED FOR
5 DUTY ARISING OUT OF OR IN THE COURSE OF THE ACTUAL PERFORMANCE OF DUTY
6 WITHOUT WILLFUL NEGLIGENCE BY THE MEMBER; AND

7 (2) THE MEDICAL BOARD CERTIFIES THAT:

8 (I) THE MEMBER IS TOTALLY INCAPACITATED, EITHER MENTALLY
9 OR PHYSICALLY, FOR THE FURTHER PERFORMANCE OF DUTY;

10 (II) THE INCAPACITY IS LIKELY TO BE PERMANENT; AND

11 (III) THE MEMBER SHOULD BE RETIRED.

12 29-303.

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

14 (1) the Employees' Pension System;

15 (2) the Local Fire and Police System;

16 (3) the Law Enforcement Officers' Pension System; or

17 (4) the Teachers' Pension System.

18 (b) A member is eligible to receive a vested allowance if:

19 (1) the member separated from employment other than by death or
20 retirement; and

21 (2) the member has at least 5 years of eligibility service.

22 (c) Except as provided in subsections (e), [and] (f), AND (G) of this section, a
23 vested allowance:

24 (1) is a deferred allowance that begins at normal retirement age;

25 (2) is computed as a normal service retirement allowance on the basis of
26 the member's average final compensation and eligibility service at separation from
27 employment; and

28 (3) may be paid in one of the optional forms of allowances under §
29 21-403 of this article.

30 (d) If a member of the Employees' Pension System or the Teachers' Pension
31 System separated from employment on or before June 30, 1990, unused sick leave

1 reported by the member's employer at the time of separation from employment is
2 creditable service for computing the vested allowance.

3 (e) Except as provided in subsection (f) of this section, a former member of the
4 Employees' Pension System or the Teachers' Pension System who has separated from
5 employment before the age of 55 with at least 15 years of eligibility service is eligible
6 to receive a vested allowance that:

7 (1) begins on the first day of the month following the member's 55th
8 birthday; and

9 (2) equals the reduced allowance computed under § 23-402 of this
10 article.

11 (f) (1) The vested allowance of a former member of the Employees' Pension
12 System or the Teachers' Pension System who separates from employment on or before
13 June 30, 1998:

14 (i) is a deferred allowance that begins at normal retirement age;

15 (ii) is computed on the basis of the member's average final
16 compensation and eligibility service at separation from employment;

17 (iii) shall equal the number of years of the member's creditable
18 service multiplied by:

19 1. 0.8% of the member's average final compensation that is
20 not in excess of the Social Security integration level; and

21 2. 1.5% of the member's average final compensation that
22 exceeds the Social Security integration level; and

23 (iv) may be paid in one of the optional forms of allowances under §
24 21-403 of this article.

25 (2) A former member of the Employees' Pension System or the Teachers'
26 Pension System who has separated from employment on or before June 30, 1998 and
27 before the age of 55 with at least 15 years of eligibility service is eligible to receive a
28 vested allowance that:

29 (i) begins on the first day of the month following the member's
30 55th birthday; and

31 (ii) equals the allowance under paragraph (1) of this subsection,
32 reduced by 0.5% for each month that the member's early retirement date precedes the
33 date the member will be 62 years old.

34 (g) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION AND
35 SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, THE VESTED ALLOWANCE OF A

1 FORMER MEMBER OF THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM WHO
2 SEPARATES FROM EMPLOYMENT ON OR BEFORE JUNE 30, 2000:

3 (I) IS A DEFERRED ALLOWANCE THAT BEGINS AT NORMAL
4 RETIREMENT AGE;

5 (II) IS COMPUTED ON THE BASIS OF THE MEMBER'S AVERAGE
6 FINAL COMPENSATION AND ELIGIBILITY SERVICE AT SEPARATION FROM
7 EMPLOYMENT; AND

8 (III) SHALL EQUAL THE NUMBER OF YEARS OF THE MEMBER'S
9 CREDITABLE SERVICE MULTIPLIED BY:

10 1. 1% OF THE MEMBER'S AVERAGE FINAL COMPENSATION
11 THAT IS NOT IN EXCESS OF THE SOCIAL SECURITY INTEGRATION LEVEL; AND

12 2. 1.7% OF THE MEMBER'S AVERAGE FINAL COMPENSATION
13 THAT EXCEEDS THE SOCIAL SECURITY INTEGRATION LEVEL.

14 (2) (I) THIS SUBSECTION APPLIES ONLY TO A FORMER MEMBER OF
15 THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM WHO:

16 1. TRANSFERRED TO THE LAW ENFORCEMENT OFFICERS'
17 PENSION SYSTEM FROM THE EMPLOYEES' RETIREMENT SYSTEM; AND

18 2. SEPARATES FROM EMPLOYMENT ON OR BEFORE JUNE 30,
19 2000.

20 (II) THE VESTED ALLOWANCE OF A FORMER MEMBER:

21 1. IS A DEFERRED ALLOWANCE THAT BEGINS AT NORMAL
22 RETIREMENT AGE;

23 2. IS COMPUTED ON THE BASIS OF THE MEMBER'S AVERAGE
24 FINAL COMPENSATION AND ELIGIBILITY SERVICE AT SEPARATION FROM
25 EMPLOYMENT; AND

26 3. SHALL EQUAL:

27 A. 2% OF THE MEMBER'S AVERAGE FINAL COMPENSATION
28 MULTIPLIED BY EACH YEAR OF THE MEMBER'S FIRST 30 YEARS OF CREDITABLE
29 SERVICE; AND

30 B. 1% OF THE MEMBER'S AVERAGE FINAL COMPENSATION
31 MULTIPLIED BY EACH YEAR OF CREDITABLE SERVICE IN EXCESS OF 30 YEARS.

32 (3) (I) THIS PARAGRAPH APPLIES ONLY TO A FORMER MEMBER WHO
33 IS:

34 1. RECEIVING A DEFERRED ALLOWANCE UNDER
35 PARAGRAPH (1) OF THIS SUBSECTION; AND

1 2. UNDER THE AGE OF 62 YEARS.

2 (II) ON RECEIPT OF A VESTED ALLOWANCE, A FORMER MEMBER
3 SHALL RECEIVE A SUPPLEMENTAL DEFERRED ALLOWANCE THAT EQUALS THE
4 DIFFERENCE BETWEEN:

5 1. THE FORMER MEMBER'S VESTED ALLOWANCE; AND

6 2. 1.7% OF THE MEMBER'S AVERAGE FINAL COMPENSATION
7 FOR EACH YEAR OF CREDITABLE SERVICE.

8 (III) PAYMENT OF THE SUPPLEMENTAL DEFERRED ALLOWANCE
9 ENDS WHEN THE FORMER MEMBER:

10 1. ATTAINS THE AGE OF 62 YEARS; OR

11 2. DIES.

12 (H) (1) If a former member who elected a vested allowance requests the
13 return of accumulated contributions before payment of the vested allowance begins,
14 the Board of Trustees shall return the accumulated contributions to the former
15 member.

16 (2) (I) [When] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS
17 PARAGRAPH, WHEN the former member is eligible to begin receiving a vested
18 allowance, the former member shall receive a pension only.

19 (II) WHEN ACCUMULATED CONTRIBUTIONS ARE RETURNED TO A
20 FORMER MEMBER OF THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM WHO IS
21 SUBJECT TO THE LAW ENFORCEMENT OFFICERS' MODIFIED PENSION BENEFIT
22 UNDER TITLE 26, SUBTITLE 2, PART II OF THIS ARTICLE, THE FORMER MEMBER IS
23 NOT ENTITLED TO FURTHER BENEFITS ON ACCOUNT OF THE FORMER MEMBER'S
24 PREVIOUS MEMBERSHIP UNLESS THE FORMER MEMBER PURCHASES THE SERVICE
25 CREDIT UNDER § 26-307.1 OF THIS ARTICLE.

26 29-404.

27 (a) Except as provided in subsection (b) of this section, this Part II of this
28 subtitle applies only to an allowance received by a former member, retiree, or
29 surviving beneficiary of a deceased member, former member, or retiree of:

30 (1) the Employees' Pension System if the deceased member, former
31 member, or retiree was an employee of a participating governmental unit or a former
32 participating governmental unit that has withdrawn while a member; OR

33 (2) the Local Fire and Police System[; or

34 (3) the Law Enforcement Officers' Pension System].

35 (b) This Part II of this subtitle does not apply to an allowance that is subject to
36 adjustment under Part II, Part IV, Part V, or Part VI of this subtitle.

1 29-425.

2 (a) This Part VI of this subtitle applies:

3 (1) on or after July 1, 1998 only to an allowance received by a former
4 member, retiree, or surviving beneficiary of a deceased member, former member, or
5 retiree of the Employees' Pension System or the Teachers' Pension System who:

6 [(1)] (I) is subject to the contributory pension benefit under Title 23,
7 Subtitle 2, Part II of this article; or

8 [(2)] (II) transferred from the Employees' Retirement System or the
9 Teachers' Retirement System to the Employees' Pension System or the Teachers'
10 Pension System after April 1, 1998; AND

11 (2) ON OR AFTER DECEMBER 31, 2000, TO AN ALLOWANCE RECEIVED BY
12 A FORMER MEMBER, RETIREE, OR SURVIVING BENEFICIARY OF A DECEASED
13 MEMBER, FORMER MEMBER, OR RETIREE OF THE LAW ENFORCEMENT OFFICERS'
14 PENSION SYSTEM.

15 (b) This Part VI of this subtitle does not apply if:

16 (1) the member, former member, or retiree was an employee of:

17 [(1)] (I) a participating governmental unit that has not elected the
18 contributory pension benefit of its employees under § 31-116 of this article; or

19 [(2)] (II) a former participating governmental unit that has withdrawn
20 while a member; OR

21 (2) THE MEMBER, FORMER MEMBER, OR RETIREE:

22 (I) TRANSFERRED TO THE LAW ENFORCEMENT OFFICERS'
23 PENSION SYSTEM FROM THE EMPLOYEES' RETIREMENT SYSTEM; AND

24 (II) DID NOT ELECT TO PARTICIPATE IN THE LAW ENFORCEMENT
25 OFFICERS' MODIFIED PENSION BENEFIT ON OR BEFORE DECEMBER 31, 2000 AS
26 PROVIDED IN § 26-211 OF THIS ARTICLE.

27 SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland
28 read as follows:

29 **Article - State Personnel and Pensions**

30 26-401.1.

31 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
32 INDICATED.

33 (2) "DROP" MEANS THE DEFERRED RETIREMENT OPTION PROGRAM
34 ESTABLISHED UNDER THIS SECTION.

1 (3) "DROP MEMBER" MEANS A MEMBER OF THE LAW ENFORCEMENT
2 OFFICERS' PENSION SYSTEM WHO:

3 (I) IS ELIGIBLE TO PARTICIPATE IN THE DROP AS PROVIDED IN
4 SUBSECTION (C) OF THIS SECTION; AND

5 (II) ELECTS TO PARTICIPATE IN THE DROP AS PROVIDED IN
6 SUBSECTION (E) OF THIS SECTION.

7 (B) THERE IS A DROP FOR ELIGIBLE MEMBERS OF THE LAW ENFORCEMENT
8 OFFICERS' PENSION SYSTEM.

9 (C) A MEMBER OF THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM IS
10 ELIGIBLE TO PARTICIPATE IN THE DROP IF THE MEMBER HAS AT LEAST 25 AND LESS
11 THAN 30 YEARS OF ELIGIBILITY SERVICE.

12 (D) AN ELIGIBLE MEMBER MAY ELECT TO PARTICIPATE IN THE DROP FOR A
13 PERIOD NOT TO EXCEED THE LESSER OF:

14 (1) 5 YEARS;

15 (2) THE DIFFERENCE BETWEEN 30 YEARS AND THE MEMBER'S
16 ELIGIBILITY SERVICE AS OF THE DATE OF THE MEMBER'S ELECTION TO
17 PARTICIPATE IN THE DROP AND RETIRE FROM THE LAW ENFORCEMENT OFFICERS'
18 PENSION SYSTEM; OR

19 (3) A TERM SELECTED BY THE MEMBER.

20 (E) (1) AN ELIGIBLE MEMBER WHO ELECTS TO PARTICIPATE IN THE DROP
21 SHALL:

22 (I) COMPLETE AND SUBMIT A WRITTEN ELECTION FORM TO THE
23 BOARD OF TRUSTEES, ON THE FORM THAT THE BOARD OF TRUSTEES PROVIDES,
24 STATING:

25 1. THE MEMBER'S INTENTION TO PARTICIPATE IN THE
26 DROP;

27 2. THE DATE WHEN THE MEMBER DESIRES TO RETIRE;

28 3. THE PERIOD THAT THE MEMBER DESIRES TO
29 PARTICIPATE IN THE DROP, AS PROVIDED IN SUBSECTION (D) OF THIS SECTION;

30 4. THE DATE WHEN THE MEMBER INTENDS TO TERMINATE
31 EMPLOYMENT WITH THE STATE IN THE FORM OF A BINDING LETTER OF
32 RESIGNATION ACCEPTED BY THE SECRETARY OR THE SECRETARY'S DESIGNEE OF
33 THE DEPARTMENT FOR WHICH THE MEMBER IS EMPLOYED; AND

34 5. ANY OTHER INFORMATION REQUIRED BY THE BOARD OF
35 TRUSTEES TO IMPLEMENT THE DROP; AND

1 (II) COMPLETE AND SUBMIT A WRITTEN RETIREMENT
2 APPLICATION FORM TO THE BOARD OF TRUSTEES, ON THE FORM THAT THE BOARD
3 OF TRUSTEES PROVIDES.

4 (2) AN ELIGIBLE MEMBER'S ELECTION TO PARTICIPATE IN THE DROP IS
5 IRREVOCABLE.

6 (F) (1) A DROP MEMBER'S PARTICIPATION IN THE DROP SHALL COMMENCE
7 ON THE FIRST DAY OF THE MONTH FOLLOWING ACCEPTANCE BY THE BOARD OF
8 TRUSTEES OF THE DROP MEMBER'S COMPLETED ELECTION FORM, RETIREMENT
9 APPLICATION FORM, AND ANY OTHER INFORMATION REQUIRED BY THE BOARD OF
10 TRUSTEES.

11 (2) A DROP MEMBER IS A RETIREE OF THE LAW ENFORCEMENT
12 OFFICERS' PENSION SYSTEM.

13 (G) PARTICIPATION IN THE DROP ENDS IF THE DROP PARTICIPANT:

14 (1) SEPARATES FROM EMPLOYMENT IN ACCORDANCE WITH THE
15 BINDING LETTER OF RESIGNATION SUBMITTED WITH THE MEMBER'S ELECTION
16 FORM;

17 (2) DIES;

18 (3) IS TERMINATED FROM EMPLOYMENT BY THE DROP MEMBER'S
19 PARTICIPATING EMPLOYER AT ANY TIME BEFORE THE DATE SPECIFIED ON THE
20 MEMBER'S ELECTION FORM;

21 (4) SHORTENS THE TIME PERIOD FOR PARTICIPATION IN THE DROP BY
22 DELIVERING TO THE DROP MEMBER'S PARTICIPATING EMPLOYER AND THE BOARD
23 OF TRUSTEES WRITTEN NOTICE OF THE INTENT OF THE DROP MEMBER TO
24 TERMINATE EMPLOYMENT; OR

25 (5) ACCEPTS AN ACCIDENTAL DISABILITY RETIREMENT ALLOWANCE AS
26 PROVIDED IN SUBSECTION (K) OF THIS SECTION.

27 (H) (1) AS OF THE EFFECTIVE DATE OF PARTICIPATION IN THE DROP, THE
28 BOARD OF TRUSTEES SHALL DETERMINE THE DROP MEMBER'S NORMAL SERVICE
29 RETIREMENT ALLOWANCE UNDER § 26-401 OF THIS SUBTITLE.

30 (2) DURING THE PERIOD THAT A DROP MEMBER PARTICIPATES IN THE
31 DROP, THE BOARD OF TRUSTEES SHALL:

32 (I) DEPOSIT THE DROP MEMBER'S NORMAL SERVICE RETIREMENT
33 ALLOWANCE IN THE DROP FOR THE DROP MEMBER'S BENEFIT;

34 (II) ADJUST THE DROP MEMBER'S NORMAL SERVICE RETIREMENT
35 ALLOWANCE EACH FISCAL YEAR AS PROVIDED IN TITLE 29, SUBTITLE 4, PART VI OF
36 THIS ARTICLE; AND

1 (III) ACCRUE INTEREST ON THE AMOUNTS CALCULATED UNDER
2 SUBPARAGRAPHS (I) AND (II) OF THIS PARAGRAPH FOR THE DROP MEMBER INTO THE
3 DROP AT THE RATE OF 6% A YEAR, COMPOUNDED MONTHLY.

4 (3) A DROP MEMBER MAY NOT RECEIVE CREDITABLE SERVICE OR
5 ELIGIBILITY SERVICE DURING THE PERIOD THAT THE DROP MEMBER PARTICIPATES
6 IN THE DROP.

7 (4) A DROP MEMBER'S COMPENSATION DURING THE PERIOD THAT THE
8 DROP MEMBER PARTICIPATES IN THE DROP MAY NOT BE:

9 (I) SUBJECT TO THE EMPLOYER PICKUP PROVISIONS OF § 21-303
10 OF THIS ARTICLE OR ANY REDUCTION OR DEDUCTION AS A MEMBER CONTRIBUTION
11 FOR PENSION OR RETIREMENT PURPOSES; OR

12 (II) USED TO INCREASE THE DROP MEMBER'S AVERAGE FINAL
13 COMPENSATION EXCEPT AS PROVIDED IN SUBSECTION (K) OF THIS SECTION.

14 (5) DURING THE PERIOD THAT A DROP MEMBER PARTICIPATES IN THE
15 DROP, THE DROP MEMBER SHALL:

16 (I) CONTINUE TO RECEIVE COMPENSATION, HEALTH INSURANCE,
17 AND OTHER BENEFIT OPTIONS ESTABLISHED UNDER THE STATE EMPLOYEE AND
18 RETIREE HEALTH AND WELFARE BENEFIT PROGRAM ADMINISTERED BY THE
19 SECRETARY OF THE DEPARTMENT OF BUDGET AND MANAGEMENT, AND ANY OTHER
20 BENEFITS AS AN EMPLOYEE OF THE STATE;

21 (II) BE SUBJECT TO THE PERSONNEL LAW, REGULATIONS, AND
22 POLICIES APPLICABLE TO AN EMPLOYEE OF THE STATE AGENCY FOR WHICH THE
23 MEMBER IS EMPLOYED; AND

24 (III) RECEIVE RETIREMENT BENEFITS ONLY TO THE EXTENT
25 PROVIDED IN THIS SECTION.

26 (6) THE BOARD OF TRUSTEES IS NOT REQUIRED TO ESTABLISH AN
27 INDIVIDUAL DROP ACCOUNT FOR EACH DROP MEMBER.

28 (7) EACH YEAR, THE BOARD OF TRUSTEES SHALL PROVIDE A DROP
29 MEMBER WITH A WRITTEN ACCOUNTING OF THE DROP MEMBER'S ACCOUNT
30 BALANCE IN THE DROP.

31 (I) (1) SUBJECT TO PARAGRAPHS (2), (3), AND (4) OF THIS SUBSECTION, ON
32 TERMINATION OF A DROP MEMBER'S PARTICIPATION IN THE DROP, THE BOARD OF
33 TRUSTEES SHALL PAY TO THE DROP MEMBER OR, IF THE DROP MEMBER HAS DIED,
34 THE DESIGNATED BENEFICIARY OF THE DROP MEMBER, THE AMOUNT ACCRUED IN
35 THE DROP FOR THE DROP MEMBER UNDER SUBSECTION (H)(2) OF THIS SECTION,
36 REDUCED BY ANY WITHHOLDING TAXES REMITTED TO THE INTERNAL REVENUE
37 SERVICE OR OTHER TAXING AUTHORITY, IN A LUMP SUM.

38 (2) THE DESIGNATED BENEFICIARY OF A DROP MEMBER IS:

1 (I) THE DROP MEMBER'S SURVIVING SPOUSE;

2 (II) IF THERE IS NOT A SURVIVING SPOUSE OR IF THE SURVIVING
3 SPOUSE DIES BEFORE THE YOUNGEST CHILD IS 18 YEARS OLD, EACH CHILD OF THE
4 DECEASED DROP MEMBER WHO IS UNDER 18 YEARS OLD; OR

5 (III) IF THERE IS NOT A SURVIVING SPOUSE OR A CHILD WHO IS
6 UNDER 18 YEARS OLD, THE PERSON NAMED AS A BENEFICIARY IN AN
7 ACKNOWLEDGED WRITTEN DESIGNATION FILED WITH THE BOARD OF TRUSTEES BY
8 THE DROP MEMBER.

9 (3) A DROP MEMBER OR DESIGNATED BENEFICIARY OF A DROP MEMBER
10 MAY DIRECT THE BOARD OF TRUSTEES TO PAY ALL OR A PORTION OF THE AMOUNT
11 ACCRUED FOR THE DROP MEMBER'S BENEFIT UNDER SUBSECTION (H)(2) OF THIS
12 SECTION DIRECTLY TO THE CUSTODIAN OF AN ELIGIBLE RETIREMENT PLAN AS
13 PROVIDED IN TITLE 21, SUBTITLE 6 OF THIS ARTICLE.

14 (4) A DROP MEMBER OR DESIGNATED BENEFICIARY OF A DROP MEMBER
15 IS ELIGIBLE TO RECEIVE THE AMOUNT DUE UNDER THIS SUBSECTION WITHIN 90
16 DAYS AFTER:

17 (I) THE DATE OF TERMINATION OF THE DROP MEMBER'S
18 PARTICIPATION IN THE DROP;

19 (II) THE RECEIPT BY THE BOARD OF TRUSTEES OF A COMPLETED
20 APPLICATION TO RECEIVE THE DROP AMOUNT, ON THE FORM THAT THE BOARD OF
21 TRUSTEES PROVIDES; AND

22 (III) THE RECEIPT BY THE BOARD OF TRUSTEES OF ANY OTHER
23 INFORMATION THAT THE BOARD OF TRUSTEES REQUIRES TO PROCESS PAYMENT OF
24 THE DROP MEMBER'S ACCOUNT BALANCE TO THE DROP PARTICIPANT, THE
25 DESIGNATED BENEFICIARY OF THE DROP PARTICIPANT, OR THE CUSTODIAN OF AN
26 ELIGIBLE RETIREMENT PLAN.

27 (J) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AS
28 OF THE FIRST DAY OF THE MONTH FOLLOWING TERMINATION OF A DROP MEMBER'S
29 PARTICIPATION IN THE DROP, THE BOARD OF TRUSTEES SHALL COMMENCE AND
30 CONTINUE PAYMENT OF THE NORMAL SERVICE RETIREMENT ALLOWANCE,
31 INCLUDING THE COST-OF-LIVING ADJUSTMENTS AS PROVIDED IN TITLE 29,
32 SUBTITLE 4, PART VI OF THIS ARTICLE, TO THE MEMBER AS PROVIDED IN §§ 26-401
33 AND 26-402 OF THIS SUBTITLE.

34 (2) IF A DROP MEMBER DIES BEFORE TERMINATION OF THE DROP
35 MEMBER'S PARTICIPATION IN THE DROP, THE BOARD OF TRUSTEES SHALL PAY 50%
36 OF THE NORMAL SERVICE RETIREMENT ALLOWANCE, INCLUDING THE
37 COST-OF-LIVING ADJUSTMENTS AS PROVIDED IN TITLE 29, SUBTITLE 4, PART VI OF
38 THIS ARTICLE, TO THE BENEFICIARY AS PROVIDED IN § 26-402 OF THIS SUBTITLE.

39 (K) (1) A DROP MEMBER IS ELIGIBLE TO APPLY FOR AN ACCIDENTAL
40 DISABILITY RETIREMENT ALLOWANCE UNDER § 29-109 OF THIS ARTICLE.

1 (2) IF THE BOARD OF TRUSTEES GRANTS A DROP MEMBER AN
2 ACCIDENTAL DISABILITY RETIREMENT ALLOWANCE, THE DROP MEMBER MAY ELECT
3 TO RECEIVE THE ACCIDENTAL DISABILITY RETIREMENT ALLOWANCE OR CONTINUE
4 TO PARTICIPATE IN THE DROP.

5 (3) (I) IF A DROP MEMBER ELECTS TO RECEIVE A DISABILITY
6 RETIREMENT ALLOWANCE INSTEAD OF CONTINUING TO PARTICIPATE IN THE DROP,
7 THE DROP MEMBER SHALL:

8 1. SUBMIT AN APPLICATION TO THE BOARD OF TRUSTEES,
9 ON THE FORM THE BOARD OF TRUSTEES PROVIDES, TO RECEIVE PAYMENT OF THE
10 AMOUNT ACCRUED IN THE DROP IN ACCORDANCE WITH SUBSECTION (I) OF THIS
11 SECTION;

12 2. EXECUTE A WRITTEN WAIVER OF ANY BENEFITS TO
13 WHICH THE DROP MEMBER MAY BE ENTITLED UNDER THE DROP; AND

14 3. SUBMIT AN APPLICATION TO RETIRE WITH AN
15 ACCIDENTAL DISABILITY RETIREMENT ALLOWANCE, ON THE FORM THE BOARD OF
16 TRUSTEES PROVIDES, STATING THE EFFECTIVE DATE OF THE DROP MEMBER'S
17 RETIREMENT AS AN ACCIDENTAL DISABILITY RETIREE.

18 (II) ON ACCEPTANCE OF THE APPLICATION FOR PAYMENT AND
19 APPLICATION TO RETIRE, THE BOARD OF TRUSTEES SHALL COMMENCE PAYMENT OF
20 AN ACCIDENTAL DISABILITY ALLOWANCE TO THE DROP MEMBER AS PROVIDED IN §
21 29-110 OF THIS ARTICLE, EXCEPT THAT THE DROP MEMBER'S AVERAGE FINAL
22 COMPENSATION SHALL BE COMPUTED AS OF THE EFFECTIVE DATE OF THE DROP
23 MEMBER'S APPLICATION FOR AN ACCIDENTAL DISABILITY RETIREMENT
24 ALLOWANCE.

25 SECTION 4. AND BE IT FURTHER ENACTED, That, on or before July 1, 2000,
26 the State Retirement Agency shall request a determination letter from the Internal
27 Revenue Service that confirms the continued qualification under § 401 of the Internal
28 Revenue Code of the Law Enforcement Officers' Pension System, as amended by the
29 Deferred Retirement Option Program established under Section 3 of this Act.

30 SECTION 5. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall
31 take effect contingent on receipt of a determination letter from the Internal Revenue
32 Service that confirms that the Law Enforcement Officers' Pension System, as
33 amended by the Deferred Retirement Option Program, is a qualified plan under § 401
34 of the Internal Revenue Act. If a favorable determination letter is received, Section 3
35 of this Act shall take effect the first day of the month after the State Retirement
36 Agency receives the letter. If the State Retirement Agency does not receive a favorable
37 determination letter, Section 3 of this Act, with no further action required by the
38 General Assembly, shall be null and void and of no further force and effect. The State
39 Retirement Agency, within 5 days after receiving the determination letter from the
40 Internal Revenue Service, shall forward a copy of the ruling to the Department of
41 Legislative Services, 90 State Circle, Annapolis, Maryland 21401.

1 SECTION 6. AND BE FURTHER ENACTED, That, subject to the provisions of
2 Section 5 above, this Act shall take effect July 1, 2000.