

---

By: **Allegany County Delegation**

Introduced and read first time: February 1, 2001

Assigned to: Appropriations

---

A BILL ENTITLED

1 AN ACT concerning

2 **Allegany County - State Personnel - Child Support Enforcement**  
3 **Administration - Transfer of Personnel**

4 FOR the purpose of transferring the Paternity and Support Division of the Office of  
5 the State's Attorney for Allegany County to the Child Support Enforcement  
6 Administration of the Department of Human Resources; providing that certain  
7 employees shall be transferred in accordance with certain provisions of law that  
8 provide for inclusion in the State Personnel Management System, seniority,  
9 compensation, annual leave accrual, transfer of certain pension contributions,  
10 and other personnel matters for employees transferring to the Child Support  
11 Enforcement Administration; clarifying those provisions relating to seniority  
12 and compensation as they would apply under this Act; requiring Allegany  
13 County to pay certain personnel certain moneys as of a certain date; requiring  
14 the creation of certain Position Identification Numbers for certain transferred  
15 employees; and generally relating to the transfer of certain personnel to the  
16 Department of Human Resources.

17 BY repealing and reenacting, without amendments,  
18 Article - Family Law  
19 Section 10-117  
20 Annotated Code of Maryland  
21 (1999 Replacement Volume and 2000 Supplement)

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

24 **Article - Family Law**

25 10-117.

26 (a) A county or circuit court with a local support enforcement office may  
27 request that the responsibility for support enforcement be transferred to the  
28 Administration.

1 (b) A request for transfer of responsibility under this section must be made to  
2 the Department of Human Resources by September 1 of the year preceding the fiscal  
3 year for which responsibility will be transferred.

4 (c) Any personnel of the local support enforcement office involved in a transfer  
5 under this section shall be in the State Personnel Management System and shall be  
6 placed in the position that is comparable to or most closely compares to their former  
7 position, without further examination or qualification. These employees shall be  
8 credited with the years of service with the jurisdiction for purposes of seniority,  
9 including the determination of leave accumulation and the determination of layoff  
10 rights under Title 11, Subtitle 2 of the State Personnel and Pensions Article, and shall  
11 become members of the Employees' Pension System of the State of Maryland. All  
12 previous pension contributions shall be transferred in accordance with Title 37 of the  
13 State Personnel and Pensions Article. These employees shall receive no diminution in  
14 compensation or accumulated leave solely as a result of the transfer. The salary grade  
15 of these employees shall be determined using a salary based on the same hourly rate  
16 of salary of the employee at the time of transfer. Annual leave in excess of that which  
17 may be retained annually in the State Personnel Management System may be  
18 retained at the time of transfer if that accumulation was permitted by the former  
19 employer.

20 SECTION 2. AND BE IT FURTHER ENACTED, That, on July 1, 2001, all the  
21 functions, powers, and duties of the Paternity and Support Division of the Office of  
22 the State's Attorney for Allegany County and the personnel indicated in Section 3 of  
23 this Act shall be transferred to the Child Support Enforcement Administration of the  
24 Department of Human Resources.

25 SECTION 3. AND BE IT FURTHER ENACTED, That:

26 (1) Except for the assistant State's Attorneys, all employees of the Paternity  
27 and Support Division of the Office of the State's Attorney for Allegany County shall be  
28 transferred to the Child Support Enforcement Administration of the Department of  
29 Human Resources in accordance with the provisions of § 10-117(c) of the Family Law  
30 Article.

31 (2) Except for the assistant State's Attorneys, a Position Identification  
32 Number (PIN) shall be created for each transferred employee in a State classification  
33 commensurate with the employee's salary grade at the time of the transfer. The  
34 salary grade shall be determined using a salary based on the same hourly rate of  
35 salary of the employee at the time of transfer. Each transferred employee shall be  
36 given credit with the State for years of County employment for purposes of seniority  
37 including the determination of leave accumulation and determination of layoff rights  
38 under § 9-504 of the State Personnel and Pensions Article.

39 (3) It shall be the responsibility of Allegany County to pay to each employee  
40 transferred under this section any compensation due to the employee on termination  
41 of County employment as of June 30, 2001.

1 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2 July 1, 2001.