

SENATE BILL 532

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HB 623/01 - APP

2002 Regular Session
2lr1800
CF 2lr1619

By: **Senators Munson and Mooney**
Introduced and read first time: February 1, 2002
Assigned to: Finance

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: March 22, 2002

CHAPTER _____

1 AN ACT concerning

2 **State Employees - Contractual Employees - Break In Service**

3 FOR the purpose of providing that a contractual employee who has a break in service
4 for a certain period of time, who is employed in a certain position during that
5 break in service, and who is selected to fill a certain budgeted position, shall be
6 given credit for service in the contractual position for the purpose of establishing
7 steps in the pay grade applicable to the budgeted position, annual leave, and
8 seniority rights and shall become a member of the Employees' Pension System of
9 the State of Maryland; providing for the application of this Act; providing for the
10 termination of this Act; and generally relating to the rights of contractual
11 employees who have experienced a break in service and are selected to fill
12 budgeted positions.

13 BY repealing and reenacting, with amendments,
14 Article - State Personnel and Pensions
15 Section 13-304
16 Annotated Code of Maryland
17 (1997 Replacement Volume and 2001 Supplement)

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 13-304.

22 (A) THIS SECTION APPLIES TO A CONTRACTUAL EMPLOYEE WHO:

1 (1) WITHOUT A BREAK IN SERVICE, TRANSFERS TO A BUDGETED
2 POSITION UNDER THIS SUBTITLE OR WHO IS SELECTED TO FILL A BUDGETED
3 POSITION IN THE STATE PERSONNEL MANAGEMENT SYSTEM IN THE SAME
4 PRINCIPAL UNIT THAT EMPLOYS THE CONTRACTUAL EMPLOYEE; OR

5 (2) (I) AFTER A BREAK IN SERVICE, HAS COMPLETED 1 YEAR OF
6 EMPLOYMENT IN A BUDGETED POSITION UNDER THIS SUBTITLE OR A BUDGETED
7 POSITION IN THE STATE PERSONNEL MANAGEMENT SYSTEM IN THE SAME
8 PRINCIPAL UNIT THAT EMPLOYED THE CONTRACTUAL EMPLOYEE PRIOR TO THE
9 BREAK IN SERVICE;

10 (II) DID NOT INCUR A BREAK IN SERVICE FOR MORE THAN 1 YEAR;
11 AND

12 (III) DURING THE BREAK IN SERVICE WAS EMPLOYED BY THE
13 WASHINGTON COUNTY HOUSING AUTHORITY IN A POSITION THAT WAS SIMILAR IN
14 DUTIES AND RESPONSIBILITIES TO THE CONTRACTUAL POSITION.

15 [(a)] (B) A contractual employee [who transfers to a budgeted position under
16 this subtitle or who is selected to fill a budgeted position in the State Personnel
17 Management System, without a break in service, in the same principal unit that
18 employs the contractual employee,] shall be given credit for service in the contractual
19 position for the purpose of establishing:

20 (1) steps in the pay grade applicable to the budgeted position;

21 (2) annual leave; and

22 (3) seniority rights.

23 [(b)] (C) A contractual employee who transfers to a budgeted position under
24 this subtitle or who is selected to fill a budgeted position shall become a member of
25 the Employees' Pension System of the State of Maryland.

26 SECTION 2. AND BE IT FURTHER ENACTED, That the provisions of this
27 Act shall apply to a contractual employee who transfers to or is selected to fill a
28 budgeted position between July 1, 2000 and July 1, 2001.

29 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take
30 effect October 1, 2002. It shall remain effective for a period of 1 year and, at the end
31 of September 30, 2003, with no further action required by the General Assembly, this
32 Act shall be abrogated and of no further force and effect.

