

HOUSE BILL 707

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2004 Regular Session
4r0782
CF 4r2235

By: **Delegates Cadden, Conway, Barkley, Bohanan, Branch, Edwards,
Gilleland, James, Leopold, Love, Mitchell, Ross, Sophocleus, Sossi, and
Walkup**

Introduced and read first time: February 5, 2004

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Pensions - Deferred Retirement Option Programs - Eligibility**

3 FOR the purpose of allowing participation in the State Police Deferred Retirement
4 Option Program (DROP) for certain members of the State Police Retirement
5 System; allowing participation in the Law Enforcement Officers' DROP for
6 certain members of the Law Enforcement Officers' Pension System; and
7 generally relating to the eligibility and participation requirements of the State
8 Police DROP and the Law Enforcement Officers' DROP.

9 BY repealing and reenacting, with amendments,
10 Article - State Personnel and Pensions
11 Section 24-401.1(c) and (d) and 26-401.1(c) and (d)
12 Annotated Code of Maryland
13 (1997 Replacement Volume and 2003 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 24-401.1.

18 (c) (1) Except [for the Secretary of the State Police] AS PROVIDED IN
19 PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, a member of the State Police
20 Retirement System is eligible to participate in the DROP if the member:

21 (i) has at least 22 and less than 28 years of eligibility service; and

22 (ii) is less than 60 years old.

23 (2) The Secretary of the State Police is eligible to participate in the
24 DROP if the Secretary has at least 22 years of eligibility service.

1 (3) A CURRENT MEMBER OF THE STATE POLICE RETIREMENT SYSTEM IS
2 ELIGIBLE TO PARTICIPATE IN THE DROP IF THE MEMBER:

3 (I) WAS A MEMBER OF THE STATE POLICE RETIREMENT SYSTEM
4 ON OR BEFORE THE DATE THAT THE DROP BECAME AVAILABLE TO MEMBERS OF THE
5 STATE POLICE RETIREMENT SYSTEM;

6 (II) HAD ACCRUED TOO MUCH ELIGIBILITY SERVICE AS OF THE
7 DATE THAT THE DROP BECAME AVAILABLE TO MEMBERS OF THE STATE POLICE
8 RETIREMENT SYSTEM TO PARTICIPATE IN THE DROP FOR 4 YEARS; AND

9 (III) IS LESS THAN 60 YEARS OLD.

10 (d) (1) [An eligible] IF A MEMBER IS ELIGIBLE TO PARTICIPATE IN THE
11 DROP UNDER SUBSECTION (C)(1) OR (2) OF THIS SECTION, THE member may elect to
12 participate in the DROP for a period not to exceed the lesser of:

13 [(1)] (I) 4 years;

14 [(2)] (II) the difference between 28 years and the member's eligibility
15 service as of the date of the member's election to participate in the DROP and retire
16 from the State Police Retirement System;

17 [(3)] (III) the difference between age 60 and the member's age as of the
18 date of the member's election to participate in the DROP and retire from the State
19 Police Retirement System; or

20 [(4)] (IV) a term selected by the member.

21 (2) IF A MEMBER IS ELIGIBLE TO PARTICIPATE IN THE DROP UNDER
22 SUBSECTION (C)(3) OF THIS SECTION, THE MEMBER MAY ELECT TO PARTICIPATE IN
23 THE DROP FOR A PERIOD NOT TO EXCEED THE LESSER OF:

24 (I) 4 YEARS;

25 (II) THE DIFFERENCE BETWEEN AGE 60 AND THE MEMBER'S AGE
26 AS OF THE DATE THAT THE MEMBER ELECTED TO PARTICIPATE IN THE DROP; OR

27 (III) A TERM SELECTED BY THE MEMBER.

28 26-401.1.

29 (c) (1) [A] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,
30 A member of the Law Enforcement Officers' Pension System is eligible to participate
31 in the DROP if the member has at least 25 and less than 30 years of eligibility service.

32 (2) A CURRENT MEMBER OF THE LAW ENFORCEMENT OFFICERS'
33 PENSION SYSTEM IS ELIGIBLE TO PARTICIPATE IN THE DROP IF THE MEMBER:

1 (I) WAS A MEMBER OF THE LAW ENFORCEMENT OFFICERS'
2 PENSION SYSTEM ON OR BEFORE THE DATE THAT THE DROP BECAME AVAILABLE TO
3 MEMBERS OF THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM; AND

4 (II) HAD ACCRUED TOO MUCH ELIGIBILITY SERVICE AS OF THE
5 DATE THAT THE DROP BECAME AVAILABLE TO MEMBERS OF THE LAW
6 ENFORCEMENT OFFICERS' PENSION SYSTEM TO PARTICIPATE IN THE DROP FOR 5
7 YEARS.

8 (d) (1) [An eligible] IF A MEMBER IS ELIGIBLE TO PARTICIPATE IN THE
9 DROP UNDER SUBSECTION (C)(1) OF THIS SECTION, THE member may elect to
10 participate in the DROP for a period not to exceed the lesser of:

11 [(1)] (I) 5 years;

12 [(2)] (II) the difference between 30 years and the member's eligibility
13 service as of the date of the member's election to participate in the DROP and retire
14 from the Law Enforcement Officers' Pension System; or

15 [(3)] (III) a term selected by the member.

16 (2) IF A MEMBER IS ELIGIBLE TO PARTICIPATE IN THE DROP UNDER
17 SUBSECTION (C)(2) OF THIS SECTION, THE MEMBER MAY ELECT TO PARTICIPATE IN
18 THE DROP FOR A PERIOD NOT TO EXCEED THE LESSER OF:

19 (I) 5 YEARS;

20 (II) THE DIFFERENCE BETWEEN THE MANDATORY RETIREMENT
21 AGE FOR THE MEMBER AND THE MEMBER'S AGE AS OF THE DATE THAT THE MEMBER
22 ELECTED TO PARTICIPATE IN THE DROP; OR

23 (III) A TERM SELECTED BY THE MEMBER.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 July 1, 2004.