
By: **Harford County Senators**

Introduced and read first time: January 23, 2006

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Law Enforcement Officers' Pension System - Membership - Harford County**
3 **Deputy Sheriffs**

4 FOR the purpose of providing that certain deputy sheriffs employed by the Harford
5 County Sheriff's Office are eligible to participate in the Law Enforcement
6 Officers' Pension System; and generally relating to deputy sheriffs employed by
7 the Harford County Sheriff's Office participating in the Law Enforcement
8 Officers' Pension System.

9 BY repealing and reenacting, without amendments,
10 Article - State Personnel and Pensions
11 Section 26-201(a)(6) and (b)(4) and 31-2A-02
12 Annotated Code of Maryland
13 (2004 Replacement Volume and 2005 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article - State Personnel and Pensions
16 Section 26-202 and 31-2A-01
17 Annotated Code of Maryland
18 (2004 Replacement Volume and 2005 Supplement)

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

21 **Article - State Personnel and Pensions**

22 26-201.

23 (a) Except as provided in subsection (b) of this section, this subtitle applies
24 only to:

25 (6) a law enforcement officer or firefighter employed by a participating
26 governmental unit that on or after July 1, 1999 has elected to participate in the Law
27 Enforcement Officers' Pension System;

1 (b) This subtitle does not apply to:

2 (4) a law enforcement officer or firefighter employed by a participating
3 governmental unit who transferred from the Employees' Retirement System to the
4 Employees' Pension System on or after December 1, 1997;

5 26-202.

6 (a) Except as provided in subsection (b) of this section, an individual described
7 in § 26-201 of this subtitle is a member of the Law Enforcement Officers' Pension
8 System as a condition of employment.

9 (b) (1) Subject to paragraph (2) of this subsection, membership in the Law
10 Enforcement Officers' Pension System is optional for an individual described in §
11 26-201 of this subtitle:

12 (i) who was employed by the Department of Natural Resources on
13 July 1, 1990 and who elects membership on or before December 31, 2002;

14 (ii) who was employed by the Field Enforcement Division on June
15 30, 1995 and who elects membership on or before December 31, 2002;

16 (iii) who was employed by the Maryland Transportation Authority
17 on June 30, 1997 and who elects membership on or before December 31, 2002;

18 (iv) who was employed by the Baltimore City Sheriff's Department
19 on June 30, 1997 and who elects membership on or before December 31, 2002;

20 (v) who was employed by the University of Maryland Police Force
21 on June 30, 1999 and who elects membership on or before December 31, 2002;

22 (vi) who is employed by a participating governmental unit on the
23 effective date of participation on or after July 1, 1999 for that participating
24 governmental unit and who elects membership within 6 months of the effective date
25 of participation;

26 (vii) who was employed by the Maryland Port Administration Police
27 Force and was subsequently transferred to and employed by the Maryland
28 Transportation Authority Police Force on July 1, 1998 and who elects membership on
29 or before December 31, 2002;

30 (viii) who was employed by the office of the State Fire Marshal on
31 June 30, 1998 and who elects membership on or before December 31, 2002;

32 (ix) who was employed by the Morgan State University Police Force
33 on June 30, 1999 and who elects membership on or before December 31, 2002;

34 (x) who was employed by the BWI Airport Fire & Rescue
35 Department on June 30, 2000, and who elects membership on or before December 31,
36 2002;

1 (xi) who was employed by the Department of General Services,
2 Department of Health and Mental Hygiene, Motor Vehicle Administration, and
3 Department of Labor, Licensing, and Regulation Police Force on June 30, 2000 and
4 who elects membership on or before December 31, 2002;

5 (xii) who was employed by the Military Department as a firefighter
6 at Martin State Airport on June 30, 2001, and who elects membership on or before
7 December 31, 2002;

8 (xiii) who was employed on June 30, 2002, by the Division of
9 Rehabilitation Services in the Department of Education as a police officer certified in
10 accordance with the Maryland Police and Correctional Training Commissions, and
11 who elects membership on or before December 31, 2002;

12 (xiv) who was employed on June 30, 2004, by the Salisbury Fire
13 Department as a firefighter or paramedic and who elects membership on or before
14 December 31, 2004, if eligible under Title 31, Subtitle 2A of this article; [or]

15 (xv) who was employed on June 30, 2005, by the Department of
16 State Police as an aviator operating an aircraft for the State Emergency Medical
17 System, and who elects membership on or before December 31, 2005; OR

18 (XVI) WHO WAS EMPLOYED ON JUNE 30, 2006, BY THE HARFORD
19 COUNTY SHERIFF'S OFFICE AS A DEPUTY SHERIFF, AND WHO ELECTS MEMBERSHIP
20 ON OR BEFORE DECEMBER 31, 2006.

21 (2) To elect to be a member of the Law Enforcement Officers' Pension
22 System, an individual shall file a written application with the State Retirement
23 Agency.

24 (3) If an individual does not elect membership during the applicable
25 period specified under paragraph (1) of this subsection, the individual may not
26 become a member of the Law Enforcement Officers' Pension System.

27 31-2A-01.

28 (a) In this subtitle the following words have the meanings indicated.

29 (b) "Effective date" means the date that an eligible governmental unit
30 commenced or commences participation in the Law Enforcement Officers' Pension
31 System.

32 (c) "Eligible governmental unit" means a governmental unit that is eligible to
33 participate in the Law Enforcement Officers' Pension System under § 31-2A-02 of
34 this subtitle.

35 (d) (1) "Firefighter" means:

36 (i) a paid firefighter, as determined by the eligible governmental
37 unit; or

1 (ii) a paid paramedic, as determined by the eligible governmental
2 unit.

3 (2) "Firefighter" does not include:

4 (i) a volunteer firefighter; or

5 (ii) a volunteer paramedic.

6 (e) "Law enforcement officer" means an individual WHO:

7 (1) IS certified by the Maryland Police Training Commission as a law
8 enforcement officer; OR

9 (2) IS A DEPUTY SHERIFF EMPLOYED BY THE HARFORD COUNTY
10 SHERIFF'S OFFICE AS A DETENTION CENTER OFFICER.

11 (f) (1) "Local pension system" means a retirement or pension system of an
12 eligible governmental unit.

13 (2) "Local pension system" includes the Employees' Retirement System
14 and the Employees' Pension System if the eligible governmental unit participates
15 under Subtitle 1 of this title.

16 31-2A-02.

17 Subject to § 31-2A-03 of this subtitle, the governmental units that are eligible
18 to participate in the Law Enforcement Officers' Pension System are:

19 (1) counties; and

20 (2) municipal corporations.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 July 1, 2006.