
By: **Senators McFadden and Colburn**
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Assigned to: Budget and Taxation

Committee Report: Favorable with amendments
Senate action: Adopted
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CHAPTER _____

1 AN ACT concerning

2 **Correctional Officers' Retirement System - Membership**

3 FOR the purpose of altering the membership of the Correctional Officers' Retirement
4 System; requiring the transfer of certain employer contributions to the
5 accumulation fund of the Correctional Officers' Retirement System; requiring
6 the transfer of certain member contributions to the annuity savings fund of the
7 Correctional Officers' Retirement System; providing for a refund of certain
8 member contributions under certain circumstances; providing that certain
9 transfers of credit between the Employees' Retirement and Pension Systems and
10 the Correctional Officers' Retirement System are not governed by certain
11 provisions of law; and generally relating to membership in the Correctional
12 Officers' Retirement System.

13 BY repealing and reenacting, with amendments,
14 Article - State Personnel and Pensions
15 Section 25-201
16 Annotated Code of Maryland
17 (2004 Replacement Volume and 2005 Supplement)

18 BY adding to
19 Article - State Personnel and Pensions
20 Section 25-203.1
21 Annotated Code of Maryland
22 (2004 Replacement Volume and 2005 Supplement)

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

1

Article - State Personnel and Pensions

2 25-201.

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

5 (1) correctional officers serving in any of the first six job classifications;
6 [and]

7 (2) security attendants at Clifton T. Perkins Hospital Center; AND

8 (3) AN INDIVIDUAL SERVING AS A CORRECTIONAL DIETARY,
9 MAINTENANCE, OR SUPPLY OFFICER.

10 (b) This subtitle does not apply to an employee of the Baltimore City Jail as of
11 June 30, 1991, who:

12 (1) became an employee of the Baltimore City Detention Center on July
13 1, 1991; and

14 (2) who did not elect to become a member of the Correctional Officers'
15 Retirement System on that date.

16 25-203.1.

17 FOR MEMBERS WHO TRANSFER FROM THE EMPLOYEES' PENSION SYSTEM OR
18 THE EMPLOYEES' RETIREMENT SYSTEM, THE BOARD OF TRUSTEES SHALL TRANSFER
19 TO THE ACCUMULATION FUND OF THE CORRECTIONAL OFFICERS' RETIREMENT
20 SYSTEM THE EMPLOYER CONTRIBUTIONS THAT WERE MADE TO THE EMPLOYEES'
21 PENSION SYSTEM OR THE EMPLOYEES' RETIREMENT SYSTEM ON BEHALF OF THOSE
22 MEMBERS WHO TRANSFERRED, PLUS THE INTEREST EARNED ON THOSE
23 CONTRIBUTIONS THROUGH THE DATE OF TRANSFER.

24 SECTION 2. AND BE IT FURTHER ENACTED, That:

25 (a) The transfer of creditable service for an individual who is a correctional
26 dietary, maintenance, or supply officer and a member of either the Employees'
27 Retirement System or Employees' Pension System on June 30, 2006, who transfers to
28 the Correctional Officers' Retirement System under this Act, is not governed by Title
29 37 of the State Personnel and Pensions Article.

30 (b) The Board of Trustees shall transfer the total member contributions to the
31 individual's credit in either the Employees' Retirement System or Employees' Pension
32 System, plus regular interest, to the annuity savings fund of the Correctional
33 Officers' Retirement System.

34 (c) (1) This subsection applies to an individual who:

35 (i) is a correctional dietary, maintenance, or supply officer on June
36 30, 2006;

1 (ii) transfers to the Correctional Officers' Retirement System under
2 this Act; and

3 (iii) at the time of transferring to the Correctional Officers'
4 Retirement System is a member of the Employees' Retirement System making
5 member contributions at the rate of 7% of the individual's earnable compensation.

6 (2) An individual described under paragraph (1) of this subsection shall
7 receive the difference between the member contributions at the rate provided for in
8 the Correctional Officers' Retirement System, including interest on those
9 contributions, and the total accumulated member contributions to the individual's
10 credit, plus interest on those contributions, in the annuity savings fund of the
11 Employees' Retirement System.

12 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take
13 effect July 1, 2006.