

HOUSE BILL 1346

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71r0081

By: **Chair, Appropriations Committee (By Request - Departmental - Baltimore City Community College)**

Introduced and read first time: March 1, 2007

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Law Enforcement Officers' Pension System - Baltimore City Community**
3 **College - Police Officers**

4 FOR the purpose of providing for the membership of certain police officers in the
5 Baltimore City Community College Police Force in the Law Enforcement
6 Officers' Pension System; and generally relating to the Law Enforcement
7 Officers' Pension System.

8 BY repealing and reenacting, with amendments,
9 Article - State Personnel and Pensions
10 Section 26-201 and 26-202(b)(1)
11 Annotated Code of Maryland
12 (2004 Replacement Volume and 2006 Supplement)

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

15 **Article - State Personnel and Pensions**

16 26-201.

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (1) an employee of the Department of Natural Resources
2 commissioned by the Secretary of Natural Resources as:
- 3 (i) a Natural Resources police officer; or
- 4 (ii) a law enforcement officer, other than a Natural Resources
5 police officer;
- 6 (2) a law enforcement officer employed by the Field Enforcement
7 Bureau;
- 8 (3) a member of the Maryland Transportation Authority Police Force
9 who has the powers granted to a police officer under § 4-208 of the Transportation
10 Article;
- 11 (4) a deputy sheriff employed by the Baltimore City Sheriff's
12 Department;
- 13 (5) a member of the University of Maryland Police Force who has the
14 powers granted to a police officer under § 13-601 of the Education Article;
- 15 (6) a law enforcement officer or firefighter employed by a participating
16 governmental unit that on or after July 1, 1999 has elected to participate in the Law
17 Enforcement Officers' Pension System;
- 18 (7) the State Fire Marshal or a Deputy State Fire Marshal;
- 19 (8) a member of the Morgan State University Police Force who has the
20 powers granted to a police officer under § 14-106 of the Education Article;
- 21 (9) a member of the BWI Airport Fire & Rescue Department;
- 22 (10) a member of the Department of General Services Police Force who
23 has the powers granted to a police officer under § 4-605 of the State Finance and
24 Procurement Article;
- 25 (11) an employee of the Department of Health and Mental Hygiene
26 commissioned by the Secretary of Health and Mental Hygiene as a Health and Mental
27 Hygiene police officer;
- 28 (12) an employee of the Motor Vehicle Administration commissioned by
29 the Secretary of Transportation as a Motor Vehicle Administration police officer;

1 (13) an employee of the Department of Labor, Licensing, and
2 Regulation commissioned by the Secretary of Labor, Licensing, and Regulation as a
3 Labor, Licensing, and Regulation police officer;

4 (14) a firefighter for the Martin State Airport employed by the Military
5 Department;

6 (15) a police officer employed by the Division of Rehabilitation Services
7 in the Department of Education, certified in accordance with the Maryland Police and
8 Correctional Training Commissions;

9 (16) a firefighter or paramedic employed by the Salisbury Fire
10 Department who is eligible to be a member as provided in Title 31, Subtitle 2A of this
11 article;

12 (17) an aviator employed by the Department of State Police to operate
13 an aircraft for the State Emergency Medical System;

14 (18) a member of the Maryland Transit Administration Police Force
15 who has the powers granted to a police officer under § 7–207 of the Transportation
16 Article; [or]

17 (19) an individual who is elected or appointed as the Baltimore City
18 Sheriff and who does not elect to join the Employees' Pension System under Title 23 of
19 this article within 6 months of the date the individual begins serving as the Baltimore
20 City Sheriff; **OR**

21 **(20) A POLICE OFFICER EMPLOYED BY THE BALTIMORE CITY**
22 **COMMUNITY COLLEGE WHO HAS THE POWERS GRANTED TO A POLICE OFFICER**
23 **UNDER § 16–513 OF THE EDUCATION ARTICLE.**

24 (b) This subtitle does not apply to:

25 (1) a Maryland Transportation Authority police officer who
26 transferred from the Employees' Retirement System to the Employees' Pension
27 System on or after December 1, 1996;

28 (2) a deputy sheriff employed by the Baltimore City Sheriff's
29 Department who transferred from the Employees' Retirement System to the
30 Employees' Pension System on or after December 1, 1996;

1 (3) a member of the University of Maryland Police Force who
2 transferred from the Employees' Retirement System to the Employees' Pension
3 System on or after December 1, 1997;

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

7 (5) a Maryland Port Administration police officer who transferred
8 from the Employees' Retirement System to the Employees' Pension System on or after
9 December 1, 1997;

10 (6) a State Fire Marshal or Deputy State Fire Marshal who
11 transferred from the Employees' Retirement System to the Employees' Pension
12 System on or after December 1, 1996;

13 (7) a member of the Morgan State University Police Force who
14 transferred from the Employees' Retirement System to the Employees' Pension
15 System on or after December 1, 1997;

16 (8) a member of the BWI Airport Fire & Rescue Department who
17 transferred from the Employees' Retirement System to the Employees' Pension
18 System on or after April 1, 1998;

19 (9) a member of the Department of General Services, Department of
20 Health and Mental Hygiene, Motor Vehicle Administration, or Department of Labor,
21 Licensing, and Regulation Police Force who transferred from the Employees'
22 Retirement System to the Employees' Pension System on or after April 1, 1998;

23 (10) a firefighter for the Martin State Airport employed by the Military
24 Department who transferred from the Employees' Retirement System to the
25 Employees' Pension System on or after April 1, 1998;

26 (11) a police officer employed by the Division of Rehabilitation Services
27 in the Department of Education who:

28 (i) is certified in accordance with the Maryland Police and
29 Correctional Training Commissions; and

30 (ii) transferred from the Employees' Retirement System to the
31 Employees' Pension System on or after April 1, 1998;

1 (12) a firefighter or paramedic employed by the Salisbury Fire
2 Department who transferred from the Employees' Retirement System to the
3 Employees' Pension System on or after April 1, 1998; [or]

4 (13) an aviator employed by the Department of State Police to operate
5 an aircraft for the State Emergency Medical System who transferred from the
6 Employees' Retirement System to the Employees' Pension System on or after April 1,
7 1998; **OR**

8 **(14) A POLICE OFFICER EMPLOYED BY THE BALTIMORE CITY**
9 **COMMUNITY COLLEGE WHO TRANSFERRED FROM THE EMPLOYEES'**
10 **RETIREMENT SYSTEM TO THE EMPLOYEES' PENSION SYSTEM ON OR AFTER**
11 **DECEMBER 1, 1996.**

12 26–202.

13 (b) (1) Subject to paragraph (2) of this subsection, membership in the Law
14 Enforcement Officers' Pension System is optional for an individual described in §
15 26–201 of this subtitle:

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

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

20 (iii) who was employed by the Maryland Transportation
21 Authority on June 30, 1997 and who elects membership on or before December 31,
22 2002;

23 (iv) who was employed by the Baltimore City Sheriff's
24 Department on June 30, 1997 and who elects membership on or before December 31,
25 2002;

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

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

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

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

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

9 (x) who was employed by the BWI Airport Fire & Rescue
10 Department on June 30, 2000, and who elects membership on or before December 31,
11 2002;

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

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

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

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

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

29 **(XVI) WHO WAS EMPLOYED ON JUNE 30, 2007, AS A POLICE**
30 **OFFICER BY THE BALTIMORE CITY COMMUNITY COLLEGE POLICE FORCE AND**
31 **WHO ELECTS MEMBERSHIP ON OR BEFORE DECEMBER 31, 2007.**

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 July 1, 2007.