

# HOUSE BILL 1346

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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

Re-referred to: Appropriations, March 5, 2007

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Committee Report: Favorable

House action: Adopted

Read second time: March 27, 2007

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## CHAPTER \_\_\_\_\_

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**

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### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 26–201.

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

4 (1) an employee of the Department of Natural Resources  
5 commissioned by the Secretary of Natural Resources as:

6 (i) a Natural Resources police officer; or

7 (ii) a law enforcement officer, other than a Natural Resources  
8 police officer;

9 (2) a law enforcement officer employed by the Field Enforcement  
10 Bureau;

11 (3) a member of the Maryland Transportation Authority Police Force  
12 who has the powers granted to a police officer under § 4–208 of the Transportation  
13 Article;

14 (4) a deputy sheriff employed by the Baltimore City Sheriff's  
15 Department;

16 (5) a member of the University of Maryland Police Force who has the  
17 powers granted to a police officer under § 13–601 of the Education Article;

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

21 (7) the State Fire Marshal or a Deputy State Fire Marshal;

22 (8) a member of the Morgan State University Police Force who has the  
23 powers granted to a police officer under § 14–106 of the Education Article;

24 (9) a member of the BWI Airport Fire & Rescue Department;

25 (10) a member of the Department of General Services Police Force who  
26 has the powers granted to a police officer under § 4–605 of the State Finance and  
27 Procurement Article;

1 (11) an employee of the Department of Health and Mental Hygiene  
2 commissioned by the Secretary of Health and Mental Hygiene as a Health and Mental  
3 Hygiene police officer;

4 (12) an employee of the Motor Vehicle Administration commissioned by  
5 the Secretary of Transportation as a Motor Vehicle Administration police officer;

6 (13) an employee of the Department of Labor, Licensing, and  
7 Regulation commissioned by the Secretary of Labor, Licensing, and Regulation as a  
8 Labor, Licensing, and Regulation police officer;

9 (14) a firefighter for the Martin State Airport employed by the Military  
10 Department;

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

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

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

19 (18) a member of the Maryland Transit Administration Police Force  
20 who has the powers granted to a police officer under § 7-207 of the Transportation  
21 Article; [or]

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

26 **(20) A POLICE OFFICER EMPLOYED BY THE BALTIMORE CITY**  
27 **COMMUNITY COLLEGE WHO HAS THE POWERS GRANTED TO A POLICE OFFICER**  
28 **UNDER § 16-513 OF THE EDUCATION ARTICLE.**

29 (b) This subtitle does not apply to:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

8 (13) an aviator employed by the Department of State Police to operate  
9 an aircraft for the State Emergency Medical System who transferred from the  
10 Employees' Retirement System to the Employees' Pension System on or after April 1,  
11 1998; **OR**

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

16 26–202.

17 (b) (1) Subject to paragraph (2) of this subsection, membership in the Law  
18 Enforcement Officers' Pension System is optional for an individual described in §  
19 26–201 of this subtitle:

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

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

24 (iii) who was employed by the Maryland Transportation  
25 Authority on June 30, 1997 and who elects membership on or before December 31,  
26 2002;

27 (iv) who was employed by the Baltimore City Sheriff's  
28 Department on June 30, 1997 and who elects membership on or before December 31,  
29 2002;

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

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

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

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

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

15 (x) who was employed by the BWI Airport Fire & Rescue  
16 Department on June 30, 2000, and who elects membership on or before December 31,  
17 2002;

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

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

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

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

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

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

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

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.