

# SENATE BILL 652

K4

71r2109

---

By: **Senator Edwards**

Introduced and read first time: February 2, 2007

Assigned to: Budget and Taxation

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Correctional Officers' Retirement System – Benefits**

3 FOR the purpose of providing that surviving spouses or certain children of deceased  
4 retirees of the Correctional Officers' Retirement System are eligible to receive a  
5 certain death benefit under certain circumstances; altering the formula for  
6 computing the retirement allowance of members of the Correctional Officers'  
7 Retirement System; and generally relating to benefits in the Correctional  
8 Officers' Retirement System.

9 BY repealing and reenacting, with amendments,  
10 Article – State Personnel and Pensions  
11 Section 21–401 and 25–401  
12 Annotated Code of Maryland  
13 (2004 Replacement Volume and 2006 Supplement)

14 BY adding to  
15 Article – State Personnel and Pensions  
16 Section 25–401.2  
17 Annotated Code of Maryland  
18 (2004 Replacement Volume and 2006 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**

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 21-401.

2 (a) (1) Subject to paragraph (2) of this subsection, instead of the basic  
3 allowance provided under the State system of a member, the member may elect a  
4 reduced allowance to be paid as one of the options under § 21-403 of this subtitle.

5 (2) Paragraph (1) of this subsection applies to a member of:

6 (i) the Law Enforcement Officers' Pension [System or]  
7 **SYSTEM, State Police Retirement [System] SYSTEM, OR THE CORRECTIONAL**  
8 **OFFICERS' RETIREMENT SYSTEM** only if, at retirement, the member does not have  
9 a spouse; and

10 (ii) the Judges' Retirement System only if, at retirement, the  
11 member does not have a spouse or child under the age of 18 years.

12 (b) To elect an optional form of allowance, a member shall:

13 (1) complete the appropriate form that the Board of Trustees provides;  
14 and

15 (2) file the form with the Board of Trustees before the first allowance  
16 payment normally becomes due.

17 (c) A member who has elected an optional form of allowance may change the  
18 election only if the member notifies the Board of Trustees before the first allowance  
19 payment normally becomes due.

20 (d) If a member dies before the effective date of retirement, the Board of  
21 Trustees shall pay the benefits payable on the member's behalf as if the member had  
22 not elected an optional form of allowance.

23 25-401.

24 (a) A member may retire with a normal service retirement allowance if:

25 (1) on or before the date of retirement, the member has at least 20  
26 years of eligibility service;

27 (2) for at least 5 years immediately before retirement, the member  
28 was a security attendant at Clifton T. Perkins Hospital Center, a correctional officer in  
29 any of the first six job classifications, or in a combination of these positions; and

1 (3) the member completes and submits a written application to the  
2 Board of Trustees stating the date when the member desires to retire.

3 (b) On retirement under this section, a member is entitled to receive a  
4 normal service retirement allowance that [equals one fifty-fifth] **EQUALS:**

5 (1) **1.8%** of the member's average final compensation multiplied by  
6 the number of years of creditable service **ATTAINED ON OR BEFORE JUNE 30, 2007;**  
7 **AND**

8 (2) **2.2% OF THE MEMBER'S AVERAGE FINAL COMPENSATION**  
9 **MULTIPLIED BY THE NUMBER OF YEARS OF CREDITABLE SERVICE ATTAINED ON**  
10 **OR AFTER JULY 1, 2007.**

11 **25-401.2.**

12 (A) **THIS SECTION APPLIES TO THE SURVIVING SPOUSE OR A CHILD OF**  
13 **A RETIREE IN RECEIPT OF A SERVICE RETIREMENT ALLOWANCE OR A**  
14 **DISABILITY RETIREMENT ALLOWANCE.**

15 (B) **ON THE DEATH OF A RETIREE, THE BOARD OF TRUSTEES SHALL**  
16 **PAY 50% OF THE RETIREE'S RETIREMENT ALLOWANCE TO:**

17 (1) **THE SURVIVING SPOUSE; OR**

18 (2) **IF THERE IS NO SURVIVING SPOUSE OR IF THE SURVIVING**  
19 **SPOUSE DIES BEFORE THE YOUNGEST CHILD OF THE RETIREE IS 18 YEARS OLD,**  
20 **ALL CHILDREN OF THE DECEASED RETIREE WHO ARE UNDER 18 YEARS OLD.**

21 (C) **IF THE BOARD OF TRUSTEES PAYS AN ALLOWANCE TO MORE THAN**  
22 **ONE CHILD, THE BOARD OF TRUSTEES SHALL DIVIDE THE ALLOWANCE AMONG**  
23 **THE CHILDREN UNDER THE AGE OF 18 YEARS IN A MANNER THAT PROVIDES FOR**  
24 **PAYMENTS TO CONTINUE UNTIL EACH CHILD DIES OR BECOMES 18 YEARS OLD.**

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