

## SENATE BILL 376

K4

8lr2381  
CF HB 480

By: Senator McFadden (Chair, Joint Committee on Pensions) and Senators Currie, Kasemeyer, Kramer, Munson, and Robey

Introduced and read first time: January 30, 2008

Assigned to: Budget and Taxation

A BILL ENTITLED

## 1 AN ACT concerning

## **State Retirement and Pension System – Unused Sick Leave – Creditable Service**

4 FOR the purpose of prohibiting certain members of the State Retirement and Pension  
5 System from receiving creditable service for unused sick leave under certain  
6 circumstances; and generally relating to receiving creditable service in the State  
7 Retirement and Pension System for unused sick leave.

## 8 BY repealing and reenacting, with amendments,

## Article – State Personnel and Pensions

10 Section 20–206

## Annotated Code of Maryland

## 12 (2004 Replacement Volume and 2007 Supplement)

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

## Article - State Personnel and Pensions

16 20-206.

17 (a) In this section, "unused sick leave" means sick leave credit that has not  
18 been used before retirement.

19 (b) This section does not apply to:

20 (1) the Judges' Retirement System; or

21 (2) the Legislative Pension Plan.

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

[Brackets] indicate matter deleted from existing law.



6 (d) (1) [At] EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS  
7 SECTION, AT retirement, a member is entitled to receive creditable service for unused  
8 sick leave, on verification of the unused sick leave to the Board of Trustees.

16                   **(E) A MEMBER MAY NOT RECEIVE CREDITABLE SERVICE FOR UNUSED**  
17                   **SICK LEAVE IF THE MEMBER'S EMPLOYER HAS PROVIDED THE MEMBER WITH**  
18                   **COMPENSATION FOR THE MEMBER'S UNUSED SICK LEAVE.**

19                   [(e)] (F)     (1)    Subject to paragraph (3) of this subsection, for 22 days of  
20 unused sick leave a member is entitled to receive 1 month of creditable service.

(2) If fractional days totaling 11 or more result from the application of the formula described in paragraph (1) of this subsection, a member is entitled to receive 1 additional month of creditable service.

24 (3) For the purposes of this section:

25 (i) a member may not accumulate more than 15 days of sick  
26 leave per year;

3 [ (f) ] (G) Credit for unused sick leave may not be used under this section:

4 (1) to determine years of eligibility service required for a benefit under  
5 this Division II; or

6 (2) to compute average final compensation.

7        [(g)] (H)     A State employee who came into the State system while retaining  
8 sick leave and annual leave benefits under a county system and who came under the  
9 provisions of Chapter 423 of the Acts of 1971 shall be entitled to the same full credit  
10 toward retirement as provided by this section.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
12 July 1, 2008.