

HOUSE BILL 473

K4

9lr1202
CF SB 226

By: **Delegate Griffith (Chair, Joint Committee on Pensions) and Delegates
Bates, Branch, Conway, Haynes, Heller, James, and Levy**

Introduced and read first time: February 4, 2009

Assigned to: Appropriations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 24, 2009

CHAPTER _____

1 AN ACT concerning

2 **State Retirement and Pension System – Participating Governmental Units**

3 FOR the purpose of clarifying the definition of a “local pension system” for
4 participating governmental units ~~in~~ withdrawing from the State Retirement
5 and Pension System; altering the period of time that certain employees of
6 certain participating governmental units have to elect to participate in certain
7 systems of the State Retirement and Pension System; and generally relating to
8 participating governmental units in the State Retirement and Pension System.

9 BY repealing and reenacting, with amendments,
10 Article – State Personnel and Pensions
11 Section ~~31-101(h)~~, 31-111(a), ~~31-2A-01(f)~~, 31-2A-04, ~~31-2B-01(c)~~, and
12 31-2B-04, and 31-301(d)
13 Annotated Code of Maryland
14 (2004 Replacement Volume and 2008 Supplement)

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

17 **Article – State Personnel and Pensions**

18 ~~31-101.~~

19 (h) ~~“Local pension system” means a retirement or pension system of an~~
20 ~~eligible governmental unit that exists before participation by the governmental unit in~~

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 ~~the [employees' systems] EMPLOYEES' RETIREMENT SYSTEM, THE EMPLOYEES'~~
2 ~~PENSION SYSTEM, THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM, OR~~
3 ~~THE CORRECTIONAL OFFICERS' PENSION SYSTEM.~~

4 31-111.

5 (a) Except as provided in subsection (b) of this section and §§ 31-111.1,
6 31-111.3, and 31-111.4 of this subtitle, if an employee of a participating governmental
7 unit joins the Employees' Pension System [within 1 year after] ON the effective date,
8 the employee is entitled to service credit for employment with the participating
9 governmental unit before the effective date.

10 ~~31-2A-01.~~

11 ~~(f) [(1)] "Local pension system" [means a retirement or pension system of~~
12 ~~an eligible governmental unit.~~

13 ~~(2) "Local pension system" includes the Employees' Retirement~~
14 ~~System and the Employees' Pension System if the eligible governmental unit~~
15 ~~participates under Subtitle 1 of this title] HAS THE MEANING STATED IN §~~
16 ~~30-101(H) OF THIS ARTICLE.~~

17 31-2A-04.

18 If a law enforcement officer, firefighter, or paramedic joins the Law
19 Enforcement Officers' Pension System [within 6 months after] ON the effective date,
20 the member is entitled to credit for employment with the participating governmental
21 unit before the effective date.

22 ~~31-2B-01.~~

23 ~~(e) [(1)] "Local pension system" [means a retirement or pension system of~~
24 ~~an eligible governmental unit.~~

25 ~~(2) "Local pension system" includes the Employees' Retirement~~
26 ~~System and the Employees' Pension System if the eligible governmental unit~~
27 ~~participates under Subtitle 1 of this title] HAS THE MEANING STATED IN §~~
28 ~~30-101(H) OF THIS ARTICLE.~~

29 31-2B-04.

30 If a local detention center officer joins the Correctional Officers' Retirement
31 System [within 6 months after] ON the effective date, the member is entitled to credit
32 for employment with the participating governmental unit before the effective date.

33 31-301.

1 (d) (1) “Local pension system” [has the meaning stated in § 31–101 of this
2 title]MEANS A RETIREMENT OR PENSION SYSTEM OF AN ELIGIBLE
3 GOVERNMENTAL UNIT.

4 (2) “LOCAL PENSION SYSTEM” INCLUDES THE EMPLOYEES’
5 RETIREMENT SYSTEM, EMPLOYEES’ PENSION SYSTEM, LAW ENFORCEMENT
6 OFFICERS’ PENSION SYSTEM, OR CORRECTIONAL OFFICERS’ RETIREMENT
7 SYSTEM IF THE ELIGIBLE GOVERNMENTAL UNIT PARTICIPATES UNDER THIS
8 TITLE.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 July 1, 2009.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.