

SENATE BILL 763

K4, P4, D4

4r1237
CF HB 805

By: **Senator Colburn**

Introduced and read first time: January 31, 2014

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Talbot County – Child Support Enforcement Administration – Transfer of**
3 **Personnel**

4 FOR the purpose of transferring the functions, powers, duties, and personnel of the
5 Talbot County Department of Social Services Office of Child Support
6 Enforcement to the Child Support Enforcement Administration of the
7 Department of Human Resources on a certain date; providing that the transfer
8 of personnel be done in accordance with a certain provision of law; requiring
9 that certain position identification numbers be created in a certain manner;
10 requiring that each transferred employee be given credit with the State for
11 years of county employment for certain purposes and retain certain annual and
12 sick leave credit and service credit in the Employees' Pension System; requiring
13 that each transferred employee be subject to certain benefit selections in the
14 Employees' Pension System; requiring Talbot County to pay certain
15 compensation due as of a certain date; and generally relating to the transfer of
16 personnel to the Child Support Enforcement Administration of the Department
17 of Human Resources.

18 BY repealing and reenacting, without amendments,
19 Article – Family Law
20 Section 10–117
21 Annotated Code of Maryland
22 (2012 Replacement Volume and 2013 Supplement)

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

25 **Article – Family Law**

26 10–117.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) A county or circuit court with a local support enforcement office may
2 request that the responsibility for support enforcement be transferred to the
3 Administration.

4 (b) A request for transfer of responsibility under this section must be made
5 to the Department of Human Resources by September 1 of the year preceding the
6 fiscal year for which responsibility will be transferred.

7 (c) Any personnel of the local support enforcement office involved in a
8 transfer under this section shall be in the State Personnel Management System and
9 shall be placed in the position that is comparable to or most closely compares to their
10 former position, without further examination or qualification. These employees shall
11 be credited with the years of service with the jurisdiction for purposes of seniority,
12 including the determination of leave accumulation and the determination of layoff
13 rights under Title 11, Subtitle 2 of the State Personnel and Pensions Article, and,
14 except as provided under § 2–510 of the Courts Article, shall become members of the
15 Employees’ Pension System of the State of Maryland. All previous pension
16 contributions shall be transferred in accordance with Title 37 of the State Personnel
17 and Pensions Article. These employees shall receive no diminution in compensation or
18 accumulated leave solely as a result of the transfer. The salary grade of these
19 employees shall be determined using a salary based on the same hourly rate of salary
20 of the employee at the time of transfer. Annual leave in excess of that which may be
21 retained annually in the State Personnel Management System may be retained at the
22 time of transfer if that accumulation was permitted by the former employer.

23 SECTION 2. AND BE IT FURTHER ENACTED, That, on July 1, 2014, all the
24 functions, powers, and duties of the Talbot County Department of Social Services
25 Office of Child Support Enforcement and the personnel indicated in Section 3 of this
26 Act shall be transferred to the Child Support Enforcement Administration of the
27 Department of Human Resources.

28 SECTION 3. AND BE IT FURTHER ENACTED, That:

29 (a) All employees of the Talbot County Department of Social Services Office
30 of Child Support Enforcement shall be transferred to the Child Support Enforcement
31 Administration of the Department of Human Resources in accordance with § 10–117(c)
32 of the Family Law Article.

33 (b) A Position Identification Number (PIN) shall be created for each
34 transferred employee in a State classification commensurate with the employee’s
35 salary grade at the time of transfer, and the salary grade shall be determined using a
36 salary based on the same hourly rate of salary of the employee at the time of transfer.

37 (c) Each transferred employee shall be given credit with the State for years
38 of county employment for purposes of:

1 (1) seniority, including the determination of leave accumulation under
2 Title 9 of the State Personnel and Pensions Article and the determination of layoff
3 rights under Title 11, Subtitle 2 of the State Personnel and Pensions Article; and

4 (2) determining eligibility for participation as a retiree in the State
5 Employee and Retiree Health and Welfare Benefits Program under § 2-508 of the
6 State Personnel and Pensions Article, so that eligibility is based on the starting date
7 for service with Talbot County instead of the starting date of employment with the
8 State.

9 (d) Each transferred employee:

10 (1) shall retain:

11 (i) the amount of annual or sick leave to the employee's credit
12 to the extent allowed by Talbot County; and

13 (ii) the service credit in the Employees' Pension System earned
14 as a Talbot County employee; and

15 (2) be subject to:

16 (i) the Alternate Contributory Pension Selection of the
17 Employees' Pension System as provided under Title 23, Subtitle 2, Part III of the State
18 Personnel and Pensions Article, if the beginning date of the employee's employment
19 with Talbot County was on or before June 30, 2011; or

20 (ii) the Reformed Contributory Pension Benefit of the
21 Employees' Pension System as provided under Title 23, Subtitle 2, Part IV of the State
22 Personnel and Pensions Article, if the beginning date of the employee's employment
23 with Talbot County was on or after July 1, 2011.

24 (e) Talbot County shall pay to each employee transferred under this section
25 any compensation due to the employee on termination of county employment as of
26 June 30, 2014, except for any accumulated leave that the employee elects to transfer to
27 the State.

28 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 July 1, 2014.