

# SENATE BILL 754

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CF HB 1110

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By: **Senator Guzzone**

Introduced and read first time: February 3, 2017

Assigned to: Budget and Taxation

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 14, 2017

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

1 AN ACT concerning

2 **Law Enforcement Officers' Pension System – Membership**

3 FOR the purpose of ~~authorizing certain individuals to transfer~~ transferring certain  
4 individuals into the Law Enforcement Officers' Pension System; ~~requiring an~~  
5 ~~individual who transfers into the Law Enforcement Officers' Pension System to~~  
6 ~~submit a certain application to the State Retirement Agency; requiring the State~~  
7 ~~Retirement Agency to provide a certain application form;~~ requiring an individual  
8 who ~~transfers~~ is transferred into the Law Enforcement Officers' Pension System to  
9 make certain deposits in the annuity savings fund of the Law Enforcement Officers'  
10 Pension System; requiring the Board of Trustees for the State Retirement and  
11 Pension System to make certain transfers to the accumulation fund and annuity  
12 savings fund of the Law Enforcement Officers' Pension System; providing for the  
13 termination of this Act; and generally relating to membership in the Law  
14 Enforcement Officers' Pension System.

15 BY repealing and reenacting, without amendments,  
16 Article – State Personnel and Pensions  
17 Section 26–201(a)(22), 26–202(b)(1)(xix), (2), and (3), and 26–203.4  
18 Annotated Code of Maryland  
19 (2015 Replacement Volume and 2016 Supplement)

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

22 **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 only  
3 to:

4 (22) an employee of the Warrant Apprehension Unit of the Division of Parole  
5 and Probation in the Department of Public Safety and Correctional Services who has the  
6 powers granted to a peace officer or police officer under § 6–106 of the Correctional Services  
7 Article.

8 26–202.

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

12 (ix) who was an employee of the Warrant Apprehension Unit of the  
13 Division of Parole and Probation in the Department of Public Safety and Correctional  
14 Services who has powers granted to a peace officer or police officer under § 6–106 of the  
15 Correctional Services Article on June 30, 2015, and who elects membership on or before  
16 December 31, 2015.

17 (2) To elect to be a member of the Law Enforcement Officers’ Pension  
18 System, an individual shall file a written application with the State Retirement Agency.

19 (3) If an individual does not elect membership during the applicable period  
20 specified under paragraph (1) of this subsection, the individual may not become a member  
21 of the Law Enforcement Officers’ Pension System.

22 26–203.4.

23 (a) This section applies to an employee of the Warrant Apprehension Unit of the  
24 Division of Parole and Probation in the Department of Public Safety and Correctional  
25 Services who:

26 (1) has the powers granted to a peace officer or police officer under § 6–106  
27 of the Correctional Services Article; and

28 (2) transfers to the Law Enforcement Officers’ Pension System on or before  
29 December 31, 2015.

30 (b) A member shall deposit in the annuity savings fund of the Law Enforcement  
31 Officers’ Pension System:

32 (1) contributions at the rates specified under § 26–204 of this subtitle; and

1 (2) regular interest on the contributions required under item (1) of this  
2 subsection at the rate of 5% per year compounded annually.

3 (c) (1) The Board of Trustees shall transfer a member's accumulated  
4 contributions from the annuity savings fund of the Employees' Pension System to the  
5 annuity savings fund of the Law Enforcement Officers' Pension System.

6 (2) The amount a member is required to deposit under subsection (b) of this  
7 section shall be reduced by the amount of accumulated contributions transferred under this  
8 subsection.

9 SECTION 2. AND BE IT FURTHER ENACTED, That:

10 (a) This section applies to an individual who:

11 (1) is a member of the Employees' Pension System;

12 (2) began employment in the Warrant Apprehension Unit of the Division  
13 of Parole and Probation in the Department of Public Safety and Correctional Services who  
14 has powers granted to a peace officer or police officer under § 6-106 of the Correctional  
15 Services Article on or before June 30, 2015;

16 (3) did not submit an application to become a member of the Law  
17 Enforcement Officers' Pension System before January 1, 2016, in accordance with Chapter  
18 268 of the Acts of 2015; and

19 (4) is a current employee of the Warrant Apprehension Unit of the Division  
20 of Parole and Probation in the Department of Public Safety and Correctional Services who  
21 has powers granted to a peace officer or police officer under § 6-106 of the Correctional  
22 Services Article.

23 (b) ~~(1)~~ Notwithstanding § 26-202(b)(3) of the State Personnel and Pensions  
24 Article, an individual described under subsection (a) of this section ~~may transfer~~ shall be  
25 transferred to the Law Enforcement Officers' Pension System by submitting an application  
26 to the State Retirement Agency.

27 ~~(2) The State Retirement Agency shall provide the application form to be~~  
28 ~~filed under paragraph (1) of this subsection.~~

29 (c) An individual who ~~transfers~~ is transferred into the Law Enforcement Officers'  
30 Pension System under this Act shall deposit in the annuity savings fund of the Law  
31 Enforcement Officers' Pension System:

32 (1) contributions at the rates specified under § 26-204 of the State  
33 Personnel and Pensions Article; and

1 (2) regular interest on the contributions required under item (1) of this  
2 subsection at the rate of 5% per year compounded annually.

3 (d) The Board of Trustees for the State Retirement and Pension System shall  
4 transfer to the accumulation fund of the Law Enforcement Officers' Pension System the  
5 employer contributions made to the Employees' Pension System on behalf of a member who  
6 ~~transfers~~ is transferred into the Law Enforcement Officers' Pension System under this Act,  
7 plus the interest earned on those contributions through the date of transfer.

8 (e) (1) The Board of Trustees of the State Retirement and Pension System  
9 shall transfer the member's accumulated contributions from the annuity savings fund of  
10 the Employees' Pension System to the annuity savings fund of the Law Enforcement  
11 Officers' Pension System for a member who is transferred into the Law Enforcement  
12 Officers' Pension System under this Act.

13 (2) The amount a member is required to deposit under subsection (c) of this  
14 section shall be reduced by the amount of accumulated contributions transferred under this  
15 subsection.

16 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
17 1, 2017. It shall remain effective for a period of 6 months and, at the end of December 31,  
18 2017, with no further action required by the General Assembly, this Act shall be abrogated  
19 and of no further force and effect.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.