

SENATE BILL 754

K4

7lr2191
CF 7lr3392

By: **Senator Guzzone**

Introduced and read first time: February 3, 2017

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

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

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

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

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

21 **Article – State Personnel and Pensions**

22 26–201.

23 (a) Except as provided in subsection (b) of this section, this subtitle applies only
24 to:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

5 26–202.

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

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

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

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

19 26–203.4.

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

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

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

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

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

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

32 (c) (1) The Board of Trustees shall transfer a member’s accumulated
33 contributions from the annuity savings fund of the Employees’ Pension System to the
34 annuity savings fund of the Law Enforcement Officers’ Pension System.

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

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

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

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

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

11 (3) did not submit an application to become a member of the Law
12 Enforcement Officers' Pension System before January 1, 2016, in accordance with Chapter
13 268 of the Acts of 2015; and

14 (4) is a current employee of the Warrant Apprehension Unit of the Division
15 of Parole and Probation in the Department of Public Safety and Correctional Services who
16 has powers granted to a peace officer or police officer under § 6–106 of the Correctional
17 Services Article.

18 (b) (1) Notwithstanding § 26–202(b)(3) of the State Personnel and Pensions
19 Article, an individual described under subsection (a) of this section may transfer to the Law
20 Enforcement Officers' Pension System by submitting an application to the State
21 Retirement Agency.

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

24 (c) An individual who transfers into the Law Enforcement Officers' Pension
25 System under this Act shall deposit in the annuity savings fund of the Law Enforcement
26 Officers' Pension System:

27 (1) contributions at the rates specified under § 26–204 of the State
28 Personnel and Pensions Article; and

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

31 (d) The Board of Trustees for the State Retirement and Pension System shall
32 transfer to the accumulation fund of the Law Enforcement Officers' Pension System the
33 employer contributions made to the Employees' Pension System on behalf of a member who

1 transfers into the Law Enforcement Officers' Pension System under this Act, plus the
2 interest earned on those contributions through the date of transfer.

3 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
4 1, 2017. It shall remain effective for a period of 6 months and, at the end of December 31,
5 2017, with no further action required by the General Assembly, this Act shall be abrogated
6 and of no further force and effect.