

HOUSE BILL 36

K4

8lr0390

(PRE-FILED)

By: **Delegate Jackson**

Requested: July 19, 2017

Introduced and read first time: January 10, 2018

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Correctional Officers' Retirement System – Membership**

3 FOR the purpose of altering the membership of the Correctional Officers' Retirement
4 System to include certain individuals serving in certain positions in the Department
5 of Juvenile Services; providing that certain members of the Correctional Officers'
6 Retirement System who meet certain criteria may receive a normal service
7 retirement allowance that is based on certain creditable service; requiring the State
8 Retirement Agency, on or before a certain date, to notify certain individuals affected
9 by this Act of their rights to transfer certain service credit to the Correctional
10 Officers' Retirement System; and generally relating to membership in the
11 Correctional Officers' Retirement System.

12 BY repealing and reenacting, with amendments,
13 Article – State Personnel and Pensions
14 Section 25–201 and 25–401
15 Annotated Code of Maryland
16 (2015 Replacement Volume and 2017 Supplement)

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

19 **Article – State Personnel and Pensions**

20 25–201.

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

23 (1) correctional officers serving in any of the first six job classifications;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) security attendants at Clifton T. Perkins Hospital Center;

2 (3) a detention center officer employed by a participating governmental
3 unit that on or after July 1, 2006, has elected to participate in the Correctional Officers'
4 Retirement System;

5 (4) an individual serving as a correctional dietary, maintenance, laundry,
6 or supply officer;

7 (5) an individual serving as a Maryland Correctional Enterprises officer,
8 officer trainee, plant supervisor, plant manager, or regional manager;

9 (6) a correctional officer serving as a security chief, a facility administrator,
10 an assistant warden, or a warden who:

11 (i) begins employment in that position on or after July 1, 2014; or

12 (ii) is serving in that position on June 30, 2014, and elects to transfer
13 to the Correctional Officers' Retirement System from:

14 1. the Employees' Pension System on or before December 31,
15 2014; or

16 2. the Employees' Retirement System on or before December
17 31, 2015;

18 (7) an individual serving as a correctional case management specialist,
19 supervisor, or manager on or after July 1, 2016;

20 (8) an individual serving as a parole and probation agent, supervisor, or
21 regional administrator on or after July 1, 2017; [and]

22 (9) an individual serving as a Department of Public Safety and
23 Correctional Services employee in one of the following positions on or after July 1, 2017:

24 (i) an alcohol and drug:

25 1. associate counselor, counselor lead, counselor provisional,
26 or counselor supervisor;

27 2. professional counselor, counselor provisional, or counselor
28 supervisor; or

29 3. supervised counselor or counselor provisional;

30 (ii) a mental health professional counselor, graduate professional
31 counselor, professional counselor advanced, or professional supervisor;

1 (iii) a psychologist, psychology associate, or psychology associate
2 doctorate;

3 (iv) a social worker, social worker advanced, social worker
4 supervisor, or social work regional supervisor; or

5 (v) a recreation officer or supervisor; AND

6 **(10) AN INDIVIDUAL SERVING AS A DEPARTMENT OF JUVENILE**
7 **SERVICES EMPLOYEE IN ONE OF THE FOLLOWING POSITIONS ON OR AFTER JULY 1,**
8 **2018:**

9 **(I) AN ALCOHOL AND DRUG:**

10 **1. ASSOCIATE COUNSELOR, COUNSELOR PROVISIONAL,**
11 **OR COUNSELOR LEAD;**

12 **2. PROFESSIONAL COUNSELOR ADVANCED, COUNSELOR**
13 **PROVISIONAL, OR COUNSELOR SUPERVISOR; OR**

14 **3. SUPERVISED COUNSELOR;**

15 **(II) A CASE MANAGEMENT SPECIALIST, SPECIALIST**
16 **SUPERVISOR, OR PROGRAM SUPERVISOR;**

17 **(III) A COORDINATOR OF RECREATION;**

18 **(IV) A DETENTION OFFICER OR SUPERVISOR;**

19 **(V) A PROGRAM ADMINISTRATOR;**

20 **(VI) A PSYCHOLOGIST, PSYCHOLOGY ASSOCIATE, OR**
21 **PSYCHOLOGY SERVICE CHIEF;**

22 **(VII) A RESIDENT ADVISOR, ADVISOR LEAD, ADVISOR**
23 **SUPERVISOR, OR ADVISOR TRAINEE;**

24 **(VIII) A RESIDENT YOUTH CENTER COOK OR COOK LEAD;**

25 **(IX) A RESIDENTIAL GROUP LIFE MANAGER;**

26 **(X) A SOCIAL WORKER, SOCIAL WORKER ADVANCED, OR SOCIAL**
27 **WORK REGIONAL SUPERVISOR;**

1 (XI) A YOUTH RECREATION SPECIALIST; OR

2 (XII) A YOUTH TRANSPORTATION OFFICER, OFFICER LEAD,
3 OFFICER SUPERVISOR, OR OFFICER TRAINEE.

4 (b) This subtitle does not apply to:

5 (1) an employee of the Baltimore City Jail as of June 30, 1991, who:

6 (i) became an employee of the Baltimore City Detention Center on
7 July 1, 1991; and

8 (ii) did not elect to become a member of the Correctional Officers'
9 Retirement System on that date;

10 (2) a detention center officer employed by a participating governmental
11 unit as a local detention center officer on the effective date of participation on or after July
12 1, 2006, who did not elect to become a member of the Correctional Officers' Retirement
13 System within 6 months of the effective date of participation; or

14 (3) a correctional officer serving as a security chief, a facility administrator,
15 an assistant warden, or a warden who is in that position on June 30, 2014, and does not
16 elect to transfer membership to the Correctional Officers' Retirement System from:

17 (i) the Employees' Pension System on or before December 31, 2014;
18 or

19 (ii) the Employees' Retirement System on or before December 31,
20 2015.

21 25-401.

22 (a) A member may retire with a normal service retirement allowance if:

23 (1) on or before the date of retirement, the member:

24 (i) has at least 20 years of eligibility service;

25 (ii) 1. is a correctional case management specialist, supervisor,
26 or manager on or before June 30, 2016;

27 2. is vested in the Correctional Officers' Retirement System;
28 and

29 3. has a combined total of at least 20 years of eligibility
30 service from:

1 A. the Correctional Officers' Retirement System and the
2 Employees' Retirement System; or

3 B. the Correctional Officers' Retirement System and the
4 Employees' Pension System;

5 (iii) 1. is serving in a position specified in § 25–201(a)(8) or (9) of
6 this title on or before June 30, 2017;

7 2. is vested in the Correctional Officers' Retirement System;
8 and

9 3. has a combined total of at least 20 years of eligibility
10 service from:

11 A. the Correctional Officers' Retirement System and the
12 Employees' Retirement System; or

13 B. the Correctional Officers' Retirement System and the
14 Employees' Pension System; [or]

15 **(IV) 1. IS SERVING IN A POSITION SPECIFIED IN §**
16 **25–201(A)(10) OF THIS TITLE ON OR BEFORE JUNE 30, 2018;**

17 **2. IS VESTED IN THE CORRECTIONAL OFFICERS'**
18 **RETIREMENT SYSTEM; AND**

19 **3. HAS A COMBINED TOTAL OF AT LEAST 20 YEARS OF**
20 **ELIGIBILITY SERVICE FROM:**

21 **A. THE CORRECTIONAL OFFICERS' RETIREMENT**
22 **SYSTEM AND THE EMPLOYEES' RETIREMENT SYSTEM; OR**

23 **B. THE CORRECTIONAL OFFICERS' RETIREMENT**
24 **SYSTEM AND THE EMPLOYEES' PENSION SYSTEM; OR**

25 [(iv)] (v) is at least 55 years old and has:

26 1. at least 5 years of eligibility service credit, if the member
27 is a member on or before June 30, 2011; or

28 2. at least 10 years of eligibility service credit, if the member
29 becomes a member on or after July 1, 2011; and

30 (2) the member completes and submits a written application to the Board

1 of Trustees stating the date when the member desires to retire.

2 (b) On retirement under this section, a member is entitled to receive a normal
3 service retirement allowance that equals one fifty-fifth of the member's average final
4 compensation multiplied by the number of years of creditable service.

5 (c) (1) This subsection applies only to:

6 (i) a correctional case management specialist, supervisor, or
7 manager who has a combined total of 20 years of eligibility service as provided in subsection
8 (a)(1)(ii) of this section; [or]

9 (ii) a member serving in a position specified in § 25-201(a)(8) or (9)
10 of this title who has a combined total of 20 years of eligibility service as provided in
11 subsection (a)(1)(iii) of this section; **OR**

12 **(III) A MEMBER SERVING IN A POSITION SPECIFIED IN §**
13 **25-201(A)(10) OF THIS TITLE WHO HAS A COMBINED TOTAL OF 20 YEARS OF**
14 **ELIGIBILITY SERVICE AS PROVIDED IN SUBSECTION (A)(1)(IV) OF THIS SECTION.**

15 (2) A member is entitled to receive a normal service retirement allowance
16 that equals an allowance based on the creditable service the member has in the
17 Correctional Officers' Retirement System.

18 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1, 2018,
19 the State Retirement Agency shall notify the individuals who are affected by this Act of
20 their right to transfer service credit from the Employees' Retirement System or the
21 Employees' Pension System to the Correctional Officers' Retirement System.

22 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
23 1, 2018.