

SENATE BILL 636

K4

9r1629
CF 9r1630

By: **Senator Hershey**

Introduced and read first time: February 4, 2019

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Correctional Officers' Retirement System – Queen Anne's County**

3 FOR the purpose of requiring membership in the Correctional Officers' Retirement System
4 for certain local detention center officers of Queen Anne's County under certain
5 circumstances; providing that a certain individual is entitled to eligibility service and
6 creditable service that was earned before the effective date of Queen Anne's County's
7 participation in the Correctional Officers' Retirement System; providing that an
8 individual who receives certain service credit is not a member and has no rights to a
9 benefit in the Employees' Pension System; providing for the transfer of creditable
10 service for a certain individual; providing for the transfer and crediting of certain
11 assets on the effective date; and generally relating to Queen Anne's County's
12 participation in the Correctional Officers' Retirement System.

13 BY adding to

14 Article – State Personnel and Pensions
15 Section 31–2B–06
16 Annotated Code of Maryland
17 (2015 Replacement Volume and 2018 Supplement)

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

20 **Article – State Personnel and Pensions**

21 **31–2B–06.**

22 **(A) THIS SECTION APPLIES TO AN INDIVIDUAL WHO IS A LOCAL DETENTION**
23 **CENTER OFFICER OF QUEEN ANNE'S COUNTY BEFORE THE EFFECTIVE DATE, AND**
24 **WHO REMAINS A LOCAL DETENTION CENTER OFFICER OF QUEEN ANNE'S COUNTY**
25 **THROUGH THE EFFECTIVE DATE.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(B) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, IF QUEEN ANNE'S**
2 **COUNTY BECOMES A PARTICIPATING GOVERNMENTAL UNIT IN THE CORRECTIONAL**
3 **OFFICERS' RETIREMENT SYSTEM, MEMBERSHIP IN THE CORRECTIONAL OFFICERS'**
4 **RETIREMENT SYSTEM IS MANDATORY FOR AN INDIVIDUAL DESCRIBED UNDER**
5 **SUBSECTION (A) OF THIS SECTION.**

6 **(C) IF QUEEN ANNE'S COUNTY COMMENCES PARTICIPATION IN THE**
7 **CORRECTIONAL OFFICERS' RETIREMENT SYSTEM IN ACCORDANCE WITH**
8 **SUBSECTION (B) OF THIS SECTION, AN INDIVIDUAL DESCRIBED UNDER SUBSECTION**
9 **(A) OF THIS SECTION IS ENTITLED TO ELIGIBILITY SERVICE AND CREDITABLE**
10 **SERVICE IN THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM FOR**
11 **EMPLOYMENT WITH QUEEN ANNE'S COUNTY BEFORE THE EFFECTIVE DATE.**

12 **(D) ON JOINING THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM**
13 **AND RECEIVING SERVICE CREDIT AS PROVIDED UNDER SUBSECTION (C) OF THIS**
14 **SECTION, AN INDIVIDUAL DESCRIBED UNDER SUBSECTION (A) OF THIS SECTION**
15 **SHALL:**

16 **(1) NO LONGER BE A MEMBER OF THE EMPLOYEES' PENSION**
17 **SYSTEM; AND**

18 **(2) HAVE NO FURTHER RIGHTS TO ANY BENEFIT IN THE EMPLOYEES'**
19 **PENSION SYSTEM.**

20 **(E) THE TRANSFER OF CREDITABLE SERVICE FOR AN INDIVIDUAL**
21 **DESCRIBED IN SUBSECTION (A) OF THIS SECTION WHO IS A MEMBER OF THE**
22 **EMPLOYEES' PENSION SYSTEM THROUGH THE EFFECTIVE DATE, AND WHO**
23 **TRANSFERS TO THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM UNDER THIS**
24 **SECTION, IS NOT GOVERNED BY TITLE 37 OF THIS ARTICLE.**

25 **(F) IF QUEEN ANNE'S COUNTY BECOMES A PARTICIPATING**
26 **GOVERNMENTAL UNIT IN THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM, §**
27 **31-2B-05(C) OF THIS SUBTITLE SHALL GOVERN THE TRANSFER AND CREDITING OF**
28 **ASSETS ON THE EFFECTIVE DATE.**

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
30 1, 2019.