

# HOUSE BILL 407

P4, D4

0lr1005  
CF SB 137

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By: **Harford County Delegation**

Introduced and read first time: January 23, 2020

Assigned to: Judiciary

Reassigned: Appropriations, January 28, 2020

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 11, 2020

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

1 AN ACT concerning

2 **Harford County – State’s Attorney’s Office and Child Support Administration –**  
3 **Transfer of Personnel**

4 FOR the purpose of transferring the functions, powers, and duties of the Child Support  
5 Unit of the Office of the State’s Attorney for Harford County to the Child Support  
6 Administration of the Department of Human Services; requiring the creation of  
7 certain Position Identification Numbers for certain transferred employees; providing  
8 for the determination of salary grade and seniority for transferred employees;  
9 requiring that certain transferred employees be given credit with the State for years  
10 of county employment for purposes of determining leave accumulation and eligibility  
11 layoff rights in the State Personnel Management System; requiring that certain  
12 transferred employees be credited for certain unused leave; requiring Harford  
13 County to pay certain personnel certain compensation as of a certain date; requiring  
14 certain employer contributions and interest on behalf of certain transferred  
15 employees of Harford County to be transferred within the accumulation fund for the  
16 Employees’ Pension System from the municipal pool to the State pool; requiring a  
17 certain actuarial valuation to be performed by a certain actuary; and generally  
18 relating to the transfer of certain personnel to the Child Support Administration of  
19 the Department of Human Services.

20 BY repealing and reenacting, ~~without~~ with amendments,  
21 Article – Family Law  
22 Section 10–117  
23 Annotated Code of Maryland

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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 (2019 Replacement Volume)

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

4 **Article – Family Law**

5 10–117.

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

8 (b) A request for transfer of responsibility under this section must be made to the  
9 Department of Human Services by September 1 of the year preceding the fiscal year for  
10 which responsibility will be transferred.

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

26 SECTION 2. AND BE IT FURTHER ENACTED, That, on July 1, 2020, all the  
27 functions, powers, and duties of the Child Support Unit of the Office of the State's Attorney  
28 for Harford County and the personnel indicated in Section 3 of this Act shall be transferred  
29 to the Child Support Administration of the Department of Human Services.

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

31 (a) Except for the assistant State's Attorneys, all employees of the Child Support  
32 Unit of the Office of the State's Attorney for Harford County on June 30, 2020, shall be  
33 transferred to the Child Support Administration of the Department of Human Services in  
34 accordance with the provisions of § 10–117(c) of the Family Law Article.

35 (b) Except for the assistant State's Attorneys, a Position Identification Number  
36 (PIN) shall be created for each transferred employee in a State classification commensurate  
37 with the employee's salary grade at the time of the transfer. The salary grade shall be

1 determined using a salary based on the same hourly rate of salary of the employee at the  
2 time of transfer.

3 (c) If an employee of the Office of the State's Attorney for Harford County who  
4 provides services as an assistant State's Attorney under the 2020 agreement between the  
5 Child Support Administration and the Office of the State's Attorney for Harford County for  
6 the period between October 1, 2019, and June 30, 2020, both inclusive, is appointed by the  
7 Office of the Attorney General to continue providing services for the Child Support  
8 Administration as a State employee on or after June 30, 2020, a Position Identification  
9 Number (PIN) shall be created for each transferred employee in a State classification  
10 commensurate with the employee's salary grade at the time of the transfer. The salary  
11 grade shall be determined using a salary based on the same hourly rate of salary of the  
12 employee at the time of transfer.

13 (d) Each transferred employee identified in paragraphs (b) and (c) of this  
14 subsection shall be given credit with the State for years of county employment for the  
15 purposes of seniority including the determination of leave accumulation under Title 9 of  
16 the State Personnel and Pensions Article and the determination of layoff rights under Title  
17 11, Subtitle 2 of the State Personnel and Pensions Article. Each transferred employee shall  
18 also be credited for any unused leave accumulation earned during county employment.

19 (e) It shall be the responsibility of Harford County to pay each employee  
20 transferred under this Act any compensation due to the employee on termination of county  
21 employment as of June 30, 2020.

22 (f) (1) All employer contributions and interest on those contributions made by  
23 Harford County on behalf of employees transferred under this Act, as employees of Harford  
24 County, shall be transferred within the accumulation fund for the State Employees'  
25 Pension System from the municipal pool to the State pool, in accordance with § 37-205 of  
26 the State Personnel and Pensions Article.

27 (2) The actuarial valuation required under § 37-205 of the State Personnel  
28 and Pensions Article for the transferred employees transferred under this Act shall be  
29 performed by the actuary designated by the Board of Trustees for the State Retirement and  
30 Pension System in accordance with § 21-125 of the State Personnel and Pensions Article.

31 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
32 1, 2020.