

Chapter 261

(House Bill 456)

AN ACT concerning

Correctional Officers' Retirement System – Kent County

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

BY adding to

Article – State Personnel and Pensions
Section 31–2B–07
Annotated Code of Maryland
(2015 Replacement Volume and 2020 Supplement)

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

Article – State Personnel and Pensions

31–2B–07.

(A) THIS SECTION APPLIES TO AN INDIVIDUAL WHO IS A LOCAL DETENTION CENTER OFFICER OF KENT COUNTY BEFORE THE EFFECTIVE DATE, AND WHO REMAINS A LOCAL DETENTION CENTER OFFICER OF KENT COUNTY THROUGH THE EFFECTIVE DATE.

(B) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, IF KENT COUNTY BECOMES A PARTICIPATING GOVERNMENTAL UNIT IN THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM, MEMBERSHIP IN THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM IS MANDATORY FOR AN INDIVIDUAL DESCRIBED UNDER SUBSECTION (A) OF THIS SECTION.

(C) IF KENT COUNTY COMMENCES PARTICIPATION IN THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM IN ACCORDANCE WITH SUBSECTION (B) OF THIS

SECTION, AN INDIVIDUAL DESCRIBED UNDER SUBSECTION (A) OF THIS SECTION IS ENTITLED TO ELIGIBILITY SERVICE AND CREDITABLE SERVICE IN THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM FOR EMPLOYMENT WITH KENT COUNTY BEFORE THE EFFECTIVE DATE.

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

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

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

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

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

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2021.

Approved by the Governor, May 18, 2021.