

HOUSE BILL 763

P6
SB 622/20 – B&T

2lr2310
CF SB 231

By: **Delegates Bridges and Wells**

Introduced and read first time: February 3, 2022

Assigned to: Appropriations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 2, 2022

CHAPTER _____

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 for the calculation of a certain benefit from the
6 Correctional Officers' Retirement System for individuals serving in certain positions
7 on or before a certain date; requiring the State Retirement Agency, on or before a
8 certain date, to notify certain individuals affected by this Act of their right to transfer
9 service credit to the Correctional Officers' Retirement System; requiring a certain
10 transfer and combination of certain service credit for certain individuals; requiring
11 the Board of Trustees for the State Retirement and Pension System to calculate a
12 certain disability benefit for certain individuals and to grant a certain benefit under
13 certain circumstances; and generally relating to membership in the Correctional
14 Officers' Retirement System.

15 BY repealing and reenacting, with amendments,
16 Article – State Personnel and Pensions
17 Section 25–201(a)(10) and (11) and 25–401
18 Annotated Code of Maryland
19 (2015 Replacement Volume and 2021 Supplement)

20 BY adding to
21 Article – State Personnel and Pensions
22 Section 25–201(a)(12)
23 Annotated Code of Maryland

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.



(2015 Replacement Volume and 2021 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

25–201.

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

(10) an individual serving as a Department of Juvenile Services employee
in one of the following positions on or after July 1, 2018:

(i) a community detention officer or community detention
supervisor;

(ii) a youth transportation officer, youth transportation officer lead,
youth transportation officer supervisor, or youth transportation officer trainee;

(iii) a resident advisor, resident advisor lead, resident advisor
supervisor, or resident advisor trainee; or

(iv) a youth recreation specialist; [and]

(11) an individual serving as a Department of Public Safety and
Correctional Services employee in one of the following positions on or after July 1, 2018:

(i) a parole and probation assistant regional administrator;

(ii) a psychology services chief;

(iii) a correctional maintenance officer supervisor;

(iv) a correctional maintenance officer manager;

(v) a correctional maintenance services officer;

(vi) a correctional maintenance services supervisor; or

(vii) a correctional maintenance services manager; AND

**(12) AN INDIVIDUAL SERVING AS A DEPARTMENT OF JUVENILE
SERVICES EMPLOYEE IN ONE OF THE FOLLOWING POSITIONS ON OR AFTER JULY 1,
2022:**

- 1 ~~(I) A RESIDENTIAL GROUP LIFE MANAGER;~~
- 2 ~~(II) A YOUTH CENTER COOK OR COOK LEAD;~~
- 3 ~~(III) A FOOD SERVICE WORKER OR SUPERVISOR; OR~~
- 4 ~~(IV) A MAINTENANCE ASSISTANT, CHIEF, MECHANIC, MECHANIC~~
5 ~~SENIOR, OR SUPERVISOR.~~
- 6 (I) A CASE MANAGEMENT SPECIALIST I, II, OR III;
- 7 (II) A CASE MANAGEMENT SPECIALIST SUPERVISOR;
- 8 (III) A CASE MANAGEMENT SPECIALIST PROGRAM SUPERVISOR;
9 OR
- 10 (IV) A GROUP LIFE MANAGER I OR II.

11 25-401.

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

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

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

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

17 2. is vested in the Correctional Officers' Retirement System;
18 and

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

21 A. the Correctional Officers' Retirement System and the
22 Employees' Retirement System; or

23 B. the Correctional Officers' Retirement System and the
24 Employees' Pension System;

25 (iii) 1. is serving in a position specified in:

26 A. § 25-201(a)(8) or (9) of this title on or before June 30, 2017;

27 [or]

1 B. § 25–201(a)(10) or (11) of this title on or before June 30,
2 2018; OR

3 C. **§ 25–201(A)(12) OF THIS TITLE ON OR BEFORE JUNE**
4 **30, 2022;**

5 2. is vested in the Correctional Officers' Retirement System;
6 and

7 3. has a combined total of at least 20 years of eligibility
8 service from:

9 A. the Correctional Officers' Retirement System and the
10 Employees' Retirement System; or

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

13 (iv) is at least 55 years old and has:

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

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

18 (2) the member completes and submits a written application to the Board
19 of Trustees stating the date when the member desires to retire.

20 (b) (1) Except as provided in paragraph (2) of this subsection, on retirement
21 under this section, a member is entitled to receive a normal service retirement allowance
22 that equals one fifty–fifth of the member's average final compensation multiplied by the
23 number of years of creditable service.

24 (2) On retirement under this section, if a member's annuity is greater than
25 the member's normal service retirement allowance calculated under paragraph (1) of this
26 subsection, the member's normal service retirement allowance shall equal the member's
27 annuity.

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

29 (i) a correctional case management specialist, supervisor, or
30 manager who has a combined total of 20 years of eligibility service as provided in subsection
31 (a)(1)(ii) of this section; or

1 (ii) a member serving in a position specified in § 25–201(a)(8), (9),
2 (10), [or] (11), **OR (12)** of this title who has a combined total of 20 years of eligibility service
3 as provided in subsection (a)(1)(iii) of this section.

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

7 SECTION 2. AND BE IT FURTHER ENACTED, That on or before January 1, 2023,
8 the State Retirement Agency shall notify the individuals who are affected by this Act of
9 their right to transfer service credit from the Employees' Retirement System or the
10 Employees' Pension System to the Correctional Officers' Retirement System.

11 SECTION 3. AND BE IT FURTHER ENACTED, That § 37–203(f)(3) of the State
12 Personnel and Pensions Article does not apply to an individual who transfers service credit
13 to the Correctional Officers' Retirement System under Title 37 of the State Personnel and
14 Pensions Article in accordance with this Act.

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

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

17 (1) is employed in a position affected by this Act on July 1, 2022; and

18 (2) has no creditable service in the Employees' Pension System before July
19 1, 2008.

20 (b) An individual described under subsection (a) of this section shall have the
21 individual's service credit from the Employees' Pension System transferred and combined
22 with the individual's service in the Correctional Officers' Retirement System.

23 (c) If an individual described under subsection (a) of this section is granted an
24 ordinary disability benefit under Title 29, Subtitle 1 of the State Personnel and Pensions
25 Article, the Board of Trustees for the State Retirement and Pension System shall calculate
26 the ordinary disability benefit under §§ 29–106 and 29–108 of the State Personnel and
27 Pensions Article and grant the greater benefit to the individual.

28 SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect July
29 1, 2022.