SENATE BILL 115

P6

HB 659/20 – APP (PRE–FILED)

By: Senator Jackson
Requested: November 1, 2021
Introduced and read first time: January 12, 2022
Assigned to: Budget and Taxation

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: March 16, 2022

CHAPTER _____

1 AN ACT concerning

Law Enforcement Officers’ Pension System – Benefits Officers – Compensation
and Benefits – Study

FOR the purpose of altering the method for calculating the retirement allowance for certain
retirees of the Law Enforcement Officers’ Pension System for service earned on or
after a certain date; altering the maximum benefit that certain retirees of the Law
Enforcement Officers’ Pension System may receive; and generally relating to the
Law Enforcement Officers’ Pension System requiring the Governor’s Office of Crime
Prevention, Youth, and Victim Services to study and report on the compensation and
benefits of law enforcement officers in the State; requiring certain units of State
government to provide assistance to the Office; and generally relating to the
compensation and benefits of law enforcement officers in the State.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 26–401(b)
Annotated Code of Maryland
(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

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.
Except as provided in paragraphs (2), (3), and (4) of this subsection, on retirement under this section, a member is entitled to receive a normal service retirement allowance that equals:

(1) the number of years of the member’s creditable service ON OR BEFORE JUNE 30, 2022, multiplied by 2% of the member’s average final compensation; AND

(II) THE NUMBER OF YEARS OF THE MEMBER’S CREDITABLE SERVICE ON OR AFTER JULY 1, 2022, MULTIPLIED BY 2.5% OF THE MEMBER’S AVERAGE FINAL COMPENSATION.

(2) A member’s normal service retirement allowance under paragraph (1) of this subsection may not exceed 70% of the member’s average final compensation.

(3) (i) This paragraph applies only to a member who is not subject to the Law Enforcement Officers’ Modified Pension Benefit under Subtitle 2, Part II of this title.

(ii) Except as provided in paragraph (4) of this subsection, on retirement under this paragraph, the member is entitled to receive a normal service retirement allowance that equals:

1. 2.3% of the member’s average final compensation multiplied by each year of the member’s first 30 years of creditable service; and

2. 1% of the member’s average final compensation multiplied by each year of creditable service in excess of 30 years.

(4) Subject to paragraph (2) of this subsection, on retirement under this section, if a member’s annuity is greater than the member’s normal service retirement allowance calculated under paragraph (1) or (3) of this subsection, the member’s normal service retirement allowance shall equal the member’s annuity.

(a) The Governor’s Office of Crime Prevention, Youth, and Victim Services shall conduct a comprehensive study of the compensation and benefits of law enforcement officers in the State.

(b) (1) The study shall review the differences in:

(i) salaries paid to law enforcement officers of State and local governments;
(ii) retirement benefits provided to law enforcement officers of State and local governments, including participation in social security;

(iii) health benefits offered to law enforcement officers of State and local governments; and

(iv) other fringe benefits provided to law enforcement officers of State and local governments.

(2) To the extent information is available, the study shall review:

(i) the migration of law enforcement officers between departments;

(ii) the attrition rates of newly certified law enforcement officers;

(iii) the average length of active service for law enforcement officers of State and local governments; and

(iv) the number of actively employed law enforcement officers who have retired from another law enforcement agency in State or local government.

(c) (1) The following units of State government shall provide assistance to the Governor’s Office of Crime Prevention, Youth, and Victim Services by providing information necessary to conduct the study:

(i) the Department of Budget and Management;

(ii) the State Retirement Agency;

(iii) the Maryland Police Training and Standards Commission;

(iv) the Maryland Association of Counties;

(v) the Maryland Municipal League;

(vi) the Maryland State Police; and

(vii) any exclusive bargaining representative for a State or local law enforcement agency.

(2) An entity identified under paragraph (1) of this subsection may not be required to provide any confidential information for which it is precluded by law from disclosing.

(d) On or before December 1, 2022, the Governor’s Office of Crime Prevention, Youth, and Victim Services shall submit a report on the study required under subsection (a) of this section to the Senate Budget and Taxation Committee, the House Appropriations
Committee, and the Joint Committee on Pensions, in accordance with § 2–1257 of the State
Government Article.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
1, 2022.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.