

SENATE BILL 231

P6
HB 778/20 – APP

2lr1693

By: **Senator Jackson**

Introduced and read first time: January 13, 2022

Assigned to: Budget and Taxation

A BILL ENTITLED

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
24 (2015 Replacement Volume and 2021 Supplement)

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

27 **Article – State Personnel and Pensions**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 25–201.

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

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

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

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

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

12 (iv) a youth recreation specialist; [and]

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

15 (i) a parole and probation assistant regional administrator;

16 (ii) a psychology services chief;

17 (iii) a correctional maintenance officer supervisor;

18 (iv) a correctional maintenance officer manager;

19 (v) a correctional maintenance services officer;

20 (vi) a correctional maintenance services supervisor; or

21 (vii) a correctional maintenance services manager; AND

22 **(12) AN INDIVIDUAL SERVING AS A DEPARTMENT OF JUVENILE**
23 **SERVICES EMPLOYEE IN ONE OF THE FOLLOWING POSITIONS ON OR AFTER JULY 1,**
24 **2022:**

25 **(I) A RESIDENTIAL GROUP LIFE MANAGER;**

26 **(II) A YOUTH CENTER COOK OR COOK LEAD;**

27 **(III) A FOOD SERVICE WORKER OR SUPERVISOR; OR**

1 (IV) A MAINTENANCE ASSISTANT, CHIEF, MECHANIC, MECHANIC
2 SENIOR, OR SUPERVISOR.

3 25-401.

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

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

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

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

9 2. is vested in the Correctional Officers' Retirement System;

10 and

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

13 A. the Correctional Officers' Retirement System and the
14 Employees' Retirement System; or

15 B. the Correctional Officers' Retirement System and the
16 Employees' Pension System;

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

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

19 [or]

20 B. § 25-201(a)(10) or (11) of this title on or before June 30,
21 2018; OR

22 C. **§ 25-201(A)(12) OF THIS TITLE ON OR BEFORE JUNE**
23 **30, 2022;**

24 2. is vested in the Correctional Officers' Retirement System;

25 and

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

28 A. the Correctional Officers' Retirement System and the
29 Employees' Retirement System; or

1 B. the Correctional Officers' Retirement System and the
2 Employees' Pension System; or

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

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

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

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

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

14 (2) On retirement under this section, if a member's annuity is greater than
15 the member's normal service retirement allowance calculated under paragraph (1) of this
16 subsection, the member's normal service retirement allowance shall equal the member's
17 annuity.

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

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

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

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

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

32 SECTION 3. AND BE IT FURTHER ENACTED, That § 37–203(f)(3) of the State
33 Personnel and Pensions Article does not apply to an individual who transfers service credit
34 to the Correctional Officers' Retirement System under Title 37 of the State Personnel and

1 Pensions Article in accordance with this Act.

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

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

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

5 (2) has no creditable service in the Employees' Pension System before July
6 1, 2008.

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

10 (c) If an individual described under subsection (a) of this section is granted an
11 ordinary disability benefit under Title 29, Subtitle 1 of the State Personnel and Pensions
12 Article, the Board of Trustees for the State Retirement and Pension System shall calculate
13 the ordinary disability benefit under §§ 29-106 and 29-108 of the State Personnel and
14 Pensions Article and grant the greater benefit to the individual.

15 SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect July
16 1, 2022.