

SENATE BILL 139

P6
SB 346/22 – B&T

3lr1257

By: **Senator Jackson**

Introduced and read first time: January 13, 2023

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **State Police Retirement System and Law Enforcement Officers' Pension System**
3 **– Deferred Retirement Option Program – Alterations**

4 FOR the purpose of increasing the maximum number of years of eligibility service that
5 certain members of the State Police Retirement System or Law Enforcement Officers'
6 Pension System may have to participate in the Deferred Retirement Option Program
7 (DROP); increasing the number of years that certain members of the State Police
8 Retirement System or Law Enforcement Officers' Pension System may participate
9 in the DROP; authorizing certain individuals, subject to certain limitations and
10 requirements, to elect to extend their participation in the DROP; and generally
11 relating to certain members of the State Police Retirement System or Law
12 Enforcement Officers' Pension System and the Deferred Retirement Option
13 Program.

14 BY repealing and reenacting, without amendments,
15 Article – State Personnel and Pensions
16 Section 24–401.1(a), (b), and (e) and 26–401.1(a), (b), and (e)
17 Annotated Code of Maryland
18 (2015 Replacement Volume and 2022 Supplement)

19 BY repealing and reenacting, with amendments,
20 Article – State Personnel and Pensions
21 Section 24–401.1(c) and (d) and 26–401.1(c) and (d)
22 Annotated Code of Maryland
23 (2015 Replacement Volume and 2022 Supplement)

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

26 **Article – State Personnel and Pensions**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 24-401.1.

2 (a) (1) In this section the following words have the meanings indicated.

3 (2) "DROP" means the Deferred Retirement Option Program established
4 under this section.

5 (3) "DROP member" means a member of the State Police Retirement
6 System who:

7 (i) is eligible to participate in the DROP as provided in subsection
8 (c) of this section; and

9 (ii) elects to participate in the DROP as provided in subsection (e) of
10 this section.

11 (b) There is a DROP for eligible members of the State Police Retirement System.

12 (c) (1) (i) This paragraph applies to an individual who is a member of the
13 State Police Retirement System on or before June 30, 2011.

14 (ii) Except for the Secretary of State Police, a member of the State
15 Police Retirement System is eligible to participate in the DROP if the member:

16 1. has at least 22 and less than ~~[30]~~ **32** years of eligibility
17 service; and

18 2. is less than 60 years old.

19 (iii) The Secretary of State Police is eligible to participate in the
20 DROP if the Secretary has at least 22 years of eligibility service.

21 (2) (i) This paragraph applies to an individual who becomes a member
22 of the State Police Retirement System on or after July 1, 2011.

23 (ii) Except for the Secretary of State Police, a member of the State
24 Police Retirement System is eligible to participate in the DROP if the member:

25 1. has at least 25 years and less than ~~[30]~~ **32** years of
26 eligibility service; and

27 2. is less than 60 years old.

28 (iii) The Secretary of State Police is eligible to participate in the
29 DROP if the Secretary has at least 25 years of eligibility service.

30 (d) An eligible member may elect to participate in the DROP for a period not to

1 exceed the lesser of:

2 (1) [5] 7 years;

3 (2) the difference between [30] 32 years and the member's eligibility
4 service as of the date of the member's election to participate in the DROP and retire from
5 the State Police Retirement System;

6 (3) the difference between age 60 and the member's age as of the date of
7 the member's election to participate in the DROP and retire from the State Police
8 Retirement System; or

9 (4) a term selected by the member.

10 (e) (1) An eligible member who elects to participate in the DROP shall:

11 (i) complete and submit a written election form to the Board of
12 Trustees, on the form that the Board of Trustees provides, stating:

13 1. the member's intention to participate in the DROP;

14 2. the date when the member desires to retire;

15 3. the period that the member desires to participate in the
16 DROP, as provided in subsection (d) of this section;

17 4. the date when the member intends to terminate
18 employment with the Maryland State Police in the form of a binding letter of resignation
19 accepted by the Secretary of State Police or the Secretary's designee; and

20 5. any other information required by the Board of Trustees
21 to implement the DROP; and

22 (ii) complete and submit a written retirement application form to the
23 Board of Trustees, on the form that the Board of Trustees provides.

24 (2) An eligible member's election to participate in the DROP is irrevocable.

25 26-401.1.

26 (a) (1) In this section the following words have the meanings indicated.

27 (2) "DROP" means the Deferred Retirement Option Program established
28 under this section.

29 (3) "DROP member" means a member of the Law Enforcement Officers'
30 Pension System who:

1 (i) is eligible to participate in the DROP as provided in subsection
2 (c) of this section; and

3 (ii) elects to participate in the DROP as provided in subsection (e) of
4 this section.

5 (b) There is a DROP for eligible members of the Law Enforcement Officers'
6 Pension System.

7 (c) (1) In this subsection, "creditable service" does not include credit for
8 unused sick leave as provided in § 20–206 of this article.

9 (2) A member of the Law Enforcement Officers' Pension System is eligible
10 to participate in the DROP if the member has at least 25 and less than [30] 32 years of
11 creditable service.

12 (d) (1) In this subsection, "creditable service" does not include credit for
13 unused sick leave as provided in § 20–206 of this article.

14 (2) An eligible member may elect to participate in the DROP for a period
15 not to exceed the lesser of:

16 (i) [5] 7 years;

17 (ii) the difference between [30] 32 years and the member's
18 creditable service as of the date of the member's election to participate in the DROP and
19 retire from the Law Enforcement Officers' Pension System; or

20 (iii) a term selected by the member.

21 (e) (1) An eligible member who elects to participate in the DROP shall:

22 (i) complete and submit a written election form to the Board of
23 Trustees, on the form that the Board of Trustees provides, stating:

24 1. the member's intention to participate in the DROP;

25 2. the date when the member desires to retire;

26 3. the period that the member desires to participate in the
27 DROP, as provided in subsection (d) of this section;

28 4. the date when the member intends to terminate
29 employment with the State in the form of a binding letter of resignation accepted by the
30 Secretary or the Secretary's designee of the Department for which the member is employed;
31 and

1 and Pensions Article and participation in the DROP will be extended by the time period
2 specified on that form.

3 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
4 1, 2023.