

SENATE BILL 641

P6

3lr2787

By: **Senator Jackson**

Introduced and read first time: February 6, 2023

Assigned to: Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 9, 2023

CHAPTER _____

1 AN ACT concerning

2 **Law Enforcement Officers' Pension System – City of Bowie Police Department –**
3 **Transfers and Purchases of Service**

4 FOR the purpose of authorizing a transfer of certain service credit to, and a purchase of
5 certain service credit in, the Law Enforcement Officers' Pension System for certain
6 local law enforcement officers of the City of Bowie Police Department hired at certain
7 time periods under certain circumstances; and generally relating to transfers and
8 purchases of service credit in the Law Enforcement Officers' Pension System.

9 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
10 That:

11 (a) This section applies to an individual who was hired on or ~~before~~ after January
12 1, 2007, and not later than December 31, 2015, as an employee of the City of Bowie Police
13 Department.

14 (b) On or before December 31, 2023, an individual described in subsection (a) of
15 this section may submit documentation verifying:

16 (1) the date the individual ceased employment with the employer
17 immediately prior to the City of Bowie Police Department, provided by the prior employer;

18 (2) the date the individual began employment with the City of Bowie Police
19 Department, provided by the City of Bowie Police Department;

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.



1 (3) at the time of the individual's hiring, that the City of Bowie Police
2 Department failed to provide accurate and complete information regarding eligibility to
3 transfer service credit accrued to the State Retirement and Pension System in accordance
4 with § 22-209 of the State Personnel and Pensions Article, without which the individual
5 failed to transfer service credit accrued to the State Retirement and Pension System; and

6 (4) acknowledgement by the City of Bowie Police Department affirming
7 that the City of Bowie Police Department failed to provide the individual accurate and
8 complete information as described in item (3) of this subsection, provided in writing and
9 addressing only the individual requesting the acknowledgement.

10 (c) (1) This subsection applies to an individual who:

11 (i) meets the requirements of subsections (a) and (b) of this section;

12 (ii) has not incurred a break in service prior to employment with the
13 City of Bowie Police Department; and

14 (iii) has not withdrawn the individual's member contributions from
15 the prior employer's retirement system.

16 (2) An individual described under paragraph (1) of this subsection may
17 request a transfer of creditable service to the Law Enforcement Officers' Pension System
18 in accordance with this subsection and on a form that the Board of Trustees for the State
19 Retirement and Pension System provides.

20 (3) (i) Except as provided in subparagraph (ii) of this paragraph, a
21 transfer of service under this subsection shall be in accordance with Title 37 of the State
22 Personnel and Pensions Article.

23 (ii) A transfer of service under this subsection is not subject to the
24 requirements under Title 37 of the State Personnel and Pensions Article:

25 1. to transfer service within 1 year of becoming a member of
26 a State system; and

27 2. limiting benefits payable on transferred service if the
28 individual retires within 5 years of transferring service.

29 (d) (1) This subsection applies to an individual who:

30 (i) meets the requirements of subsections (a) and (b) of this section;

31 (ii) has not incurred a break in service prior to employment with the
32 City of Bowie Police Department; and

1 (iii) has withdrawn the individual’s member contributions from the
2 prior employer’s retirement system.

3 (2) An individual described under paragraph (1) of this subsection may
4 purchase service credit as provided in paragraph (3) of this subsection for which the
5 individual is not otherwise entitled.

6 (3) An individual who purchases service credit under this subsection shall:

7 (i) complete a claim for the service credit and file it with the Board
8 of Trustees on a form that the Board of Trustees provides; and

9 (ii) pay to the Board of Trustees in a single payment the member
10 contributions the member would have made for the period of employment for which service
11 credit is being purchased if the member had earned the prior service in the same part of
12 the Law Enforcement Officers’ Pension System in which the member is currently enrolled,
13 plus regular interest to the date of payment.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
15 1, 2023. It shall remain effective for a period of 6 months and, at the end of December 31,
16 2023, this Act, with no further action required by the General Assembly, shall be abrogated
17 and of no further force and effect.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.