

# SENATE BILL 368

P6

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By: **Senators Waldstreicher and Gile**

Introduced and read first time: January 17, 2024

Assigned to: Budget and Taxation

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## A BILL ENTITLED

1 AN ACT concerning

2 **State Retirement and Pension System – Military Service Credit – Eligibility**

3 FOR the purpose of repealing a limitation for members of the State Retirement and Pension  
4 System to receive certain service credit for active duty with the commissioned corps  
5 of the Public Health Service, the National Oceanic and Atmospheric Administration,  
6 or the Coast and Geodetic Survey; and generally relating to credit in the State  
7 Retirement and Pension System for military service.

8 BY repealing and reenacting, with amendments,  
9 Article – State Personnel and Pensions  
10 Section 38–101  
11 Annotated Code of Maryland  
12 (2015 Replacement Volume and 2023 Supplement)

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

15 **Article – State Personnel and Pensions**

16 38–101.

17 (a) In this subtitle the following words have the meanings indicated.

18 (b) “Accumulated contributions”:

19 (1) when used in relation to a State system, has the meaning stated in §  
20 20–101 of this article; and

21 (2) when used in relation to a local retirement or pension system, has the  
22 meaning most closely analogous to the meaning stated in § 20–101 of this article within the  
23 context of the local retirement or pension system.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (c) “Member”:

2 (1) when used in relation to a State system, has the meaning stated in §  
3 20–101 of this article; and

4 (2) when used in relation to a local retirement or pension system, has the  
5 meaning most closely analogous to the meaning stated in § 20–101 of this article within the  
6 context of the local retirement or pension system.

7 (d) “Military service” means:

8 (1) induction into the armed forces of the United States for training and  
9 service under the Selective Training and Service Act of 1940 or a subsequent act of a similar  
10 nature;

11 (2) membership in a reserve component of the armed forces of the United  
12 States:

13 (i) on active duty or ordered or assigned to active duty; or

14 (ii) on active duty for training or inactive duty for training that  
15 interrupts a member’s service;

16 (3) enlistment into the armed forces of the United States;

17 (4) membership in the Maryland National Guard; or

18 (5) [with respect to a person separated from employment on or after July  
19 1, 1991,] active duty with the commissioned corps of the Public Health Service, the National  
20 Oceanic and Atmospheric Administration, or the Coast and Geodetic Survey [from:

21 (i) December 7, 1941, to December 31, 1946, both inclusive;

22 (ii) June 25, 1950, to January 31, 1955, both inclusive; or

23 (iii) December 22, 1961, to May 7, 1975, both inclusive].

24 (e) “Regular interest”:

25 (1) when used in relation to a State system, has the meaning stated in §  
26 20–101 of this article; and

27 (2) when used in relation to a local retirement or pension system, has the  
28 meaning most closely analogous to the meaning stated in § 20–101 of this article within the  
29 context of the local retirement or pension system.

1 (f) “State or local retirement or pension system” means a retirement or pension  
2 system operated under the laws of the State or a political subdivision of the State.

3 (g) “State system” means a retirement or pension system that is included in the  
4 State Retirement and Pension System under § 21–102 of this article other than the  
5 Legislative Pension Plan except to the extent provided by the joint resolution submitted to  
6 the General Assembly by the General Assembly Compensation Commission under Article  
7 III, § 15 of the Maryland Constitution.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
9 1, 2024.