

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1313 (Delegate Anderton)
Appropriations

Law Enforcement Officers' Pension System - Membership - 9-1-1 Specialists

This bill authorizes participating governmental units (PGUs) that participate in the Law Enforcement Officers' Pension System (LEOPS) to approve participation in LEOPS for 9-1-1 specialists that are certified by the Maryland Police Training and Standards Commission as law enforcement officers. **The bill takes effect July 1, 2024.**

Fiscal Summary

State Effect: None. The bill applies only to local governments.

Local Effect: None. The bill is authorizing in nature and applies only to local governments that elect to participate in LEOPS and have 9-1-1 specialists who are also certified as law enforcement officers.

Small Business Effect: None.

Analysis

Current Law: LEOPS was established on July 1, 1990, with participation a condition of employment for specified State public safety officers. Members of LEOPS earn 2.0% of their average final compensation (AFC) for each year of creditable service. Vested members qualify for a normal service retirement benefit at age 50 or with at least 25 years of creditable service. However, the normal service allowance is capped at 65% of AFC, meaning that members stop accruing benefits after 32.5 years of service ($2\% \times 32.5 = 65\%$).

Counties and municipal corporations are eligible to participate in LEOPS as PGUs. In order to elect participation, (1) the legislative body of the county or municipal government must

adopt a resolution in the form prescribed by the Board of Trustees of the State Retirement and Pension System and (2) the county or municipal government must already participate in a State plan or operate a local plan. Law enforcement officers, emergency medical technicians, and firefighters employed by PGUs are eligible to participate in LEOPS, and at least 60% of eligible participants must petition to become members of LEOPS, among other requirements, in order for a local petition to join LEOPS to be valid.

Additional Comments: The State Retirement Agency advises that, as defined by the bill, a “9-1-1 specialist” may not qualify as a public safety officer under federal Internal Revenue Service guidelines for tax-exempt public safety pension plans.

Additional Information

Recent Prior Introductions: Similar legislation has been introduced within the last three years. See SB 822 and HB 1236 of 2022.

Designated Cross File: SB 700 (Senator Carozza) - Budget and Taxation.

Information Source(s): Maryland Department of Emergency Management; Department of Public Safety and Correctional Services; State Retirement Agency; Maryland Municipal League; Department of Legislative Services

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