# **HOUSE BILL 1029**

P6 5lr3476 CF SB 768

By: Delegate Forbes (Chair, Joint Committee on Pensions)

Introduced and read first time: February 3, 2025

Assigned to: Appropriations

Committee Report: Favorable

House action: Adopted

Read second time: March 4, 2025

CHAPTER

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## Correctional Officers' Retirement System - Membership - Clarifications

- 3 FOR the purpose of clarifying the membership in the Correctional Officers' Retirement
- 4 System for certain employees of certain Maryland Department of Health facilities;
- 5 clarifying that certain participating employees who are appointed, promoted, or
- 6 transferred are members of the Correctional Officers' Retirement System as a
- 7 condition of employment; and generally relating to membership in the Correctional
- 8 Officers' Retirement System.
- 9 BY repealing and reenacting, without amendments,
- 10 Article State Personnel and Pensions
- 11 Section 20–206(a)
- 12 Annotated Code of Maryland
- 13 (2024 Replacement Volume and 2024 Supplement)
- 14 BY repealing and reenacting, with amendments,
- 15 Article State Personnel and Pensions
- 16 Section 20–206(g), 25–201, and 25–401
- 17 Annotated Code of Maryland
- 18 (2024 Replacement Volume and 2024 Supplement)
- 19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
- 20 That the Laws of Maryland read as follows:

## **Article - State Personnel and Pensions**

### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

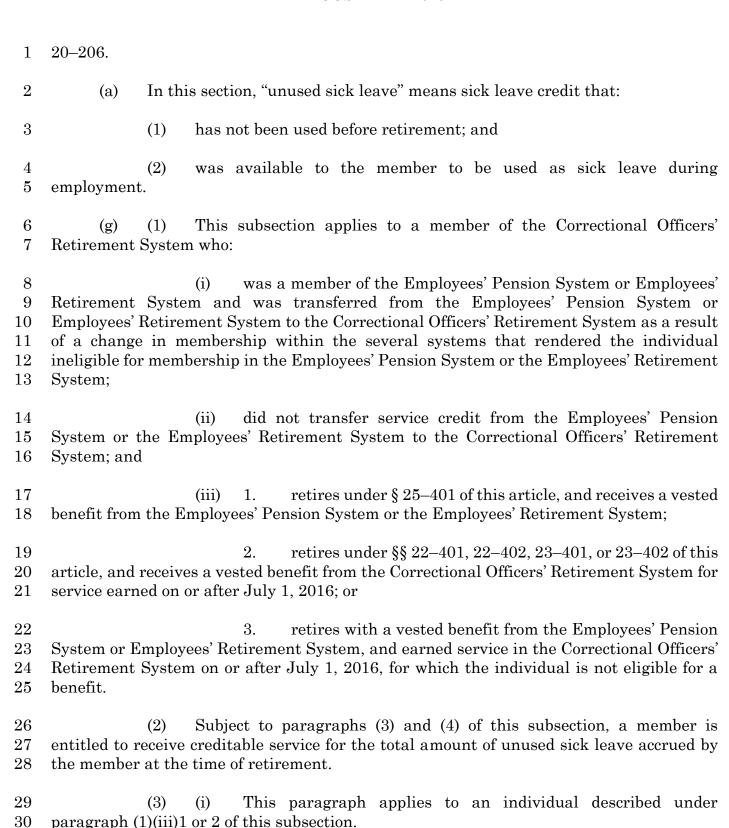
[Brackets] indicate matter deleted from existing law.

<u>Underlining</u> indicates amendments to bill.

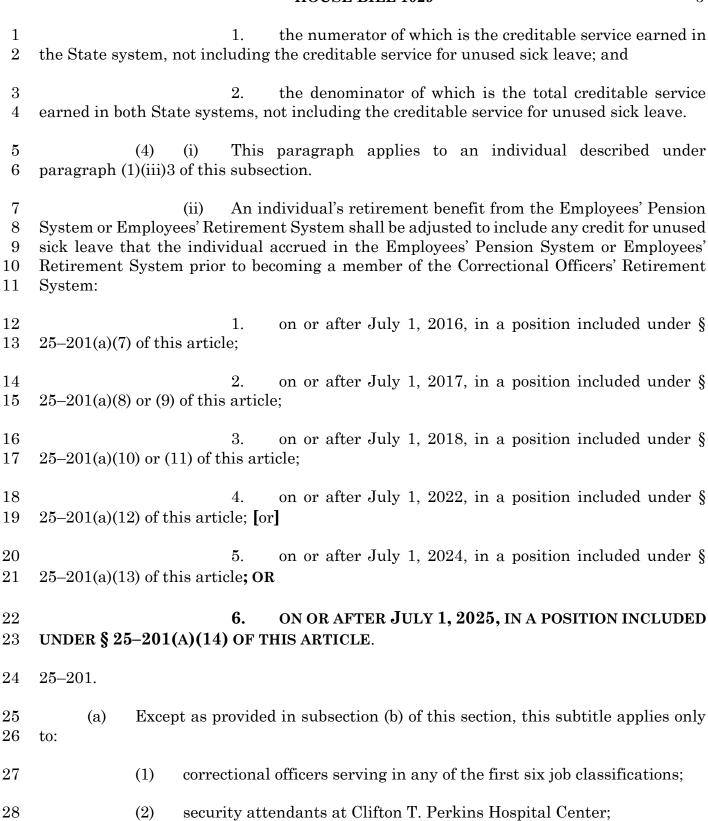
Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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31 (ii) The creditable service for unused sick leave shall be calculated 32 for each of the two State systems by multiplying the total amount of unused sick leave, 33 calculated in accordance with subsection (e) of this section, by a fraction:

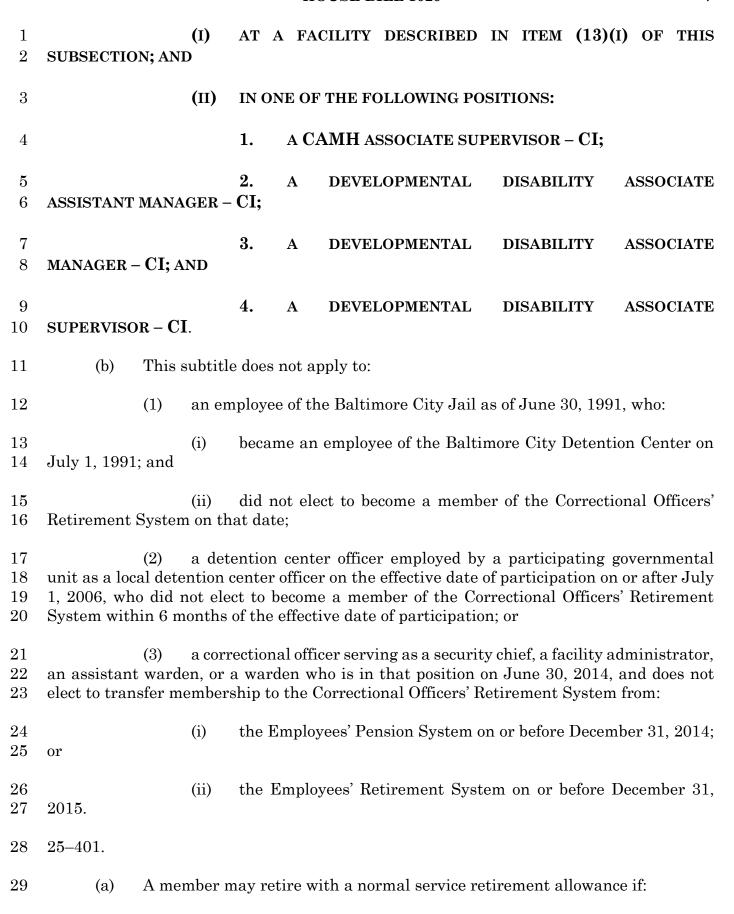


(3) a detention center officer employed by a participating governmental unit that on or after July 1, 2006, has elected to participate in the Correctional Officers' Retirement System;

- 1 **(4)** an individual serving as a correctional dietary, maintenance, laundry, 2 or supply officer; 3 an individual serving as a Maryland Correctional Enterprises officer, officer trainee, plant supervisor, plant manager, or regional manager; 4 a correctional officer serving as a security chief, a facility administrator, 5 6 an assistant warden, or a warden who: 7 begins employment in that position on or after July 1, 2014; or (i) is serving in that position on June 30, 2014, and elects to transfer 8 (ii) 9 to the Correctional Officers' Retirement System from: 10 1. the Employees' Pension System on or before December 31, 2014; or 11 122. the Employees' Retirement System on or before December 31, 2015; 13 14 an individual serving as a correctional case management specialist, (7)15 supervisor, or manager on or after July 1, 2016; 16 an individual serving as a parole and probation agent, supervisor, or 17 regional administrator on or after July 1, 2017; 18 (9)an individual serving as a Department of Public Safety and 19 Correctional Services employee in one of the following positions on or after July 1, 2017: 20 (i) an alcohol and drug: 21associate counselor, counselor lead, counselor provisional, 1. 22or counselor supervisor; 23 2. professional counselor, counselor provisional, or counselor 24supervisor; or 25 3. supervised counselor or counselor provisional; 26 a mental health professional counselor, graduate professional (ii) 27 counselor, professional counselor advanced, or professional supervisor; 28 (iii) a psychologist, psychology associate, or psychology associate 29 doctorate;
- 30 (iv) a social worker, social worker advanced, social worker 31 supervisor, or social work regional supervisor; or

1		(v)	a recreation officer or supervisor;
2	(10) in one of the follow		dividual serving as a Department of Juvenile Services employee sitions on or after July 1, 2018:
4 5	supervisor;	(i)	a community detention officer or community detention
6 7	youth transportati	(ii) on offi	a youth transportation officer, youth transportation officer lead, cer supervisor, or youth transportation officer trainee;
8	supervisor, or resid	(iii) dent ac	a resident advisor, resident advisor lead, resident advisor dvisor trainee; or
10		(iv)	a youth recreation specialist;
11 12	(11) Correctional Servi		ndividual serving as a Department of Public Safety and ployee in one of the following positions on or after July 1, 2018:
13		(i)	a parole and probation assistant regional administrator;
14		(ii)	a psychology services chief;
15		(iii)	a correctional maintenance officer supervisor;
16		(iv)	a correctional maintenance officer manager;
17		(v)	a correctional maintenance services officer;
18		(vi)	a correctional maintenance services supervisor;
19		(vii)	a correctional maintenance services manager; or
20		(viii)	a correctional maintenance regional manager;
21 22	(12) in one of the follow		dividual serving as a Department of Juvenile Services employee sitions on or after July 1, 2022:
23		(i)	a case management specialist I, II, or III;
24		(ii)	a case management specialist supervisor;
25		(iii)	a case management specialist program supervisor; or
26		(iv)	a group life manager I or II: [and]

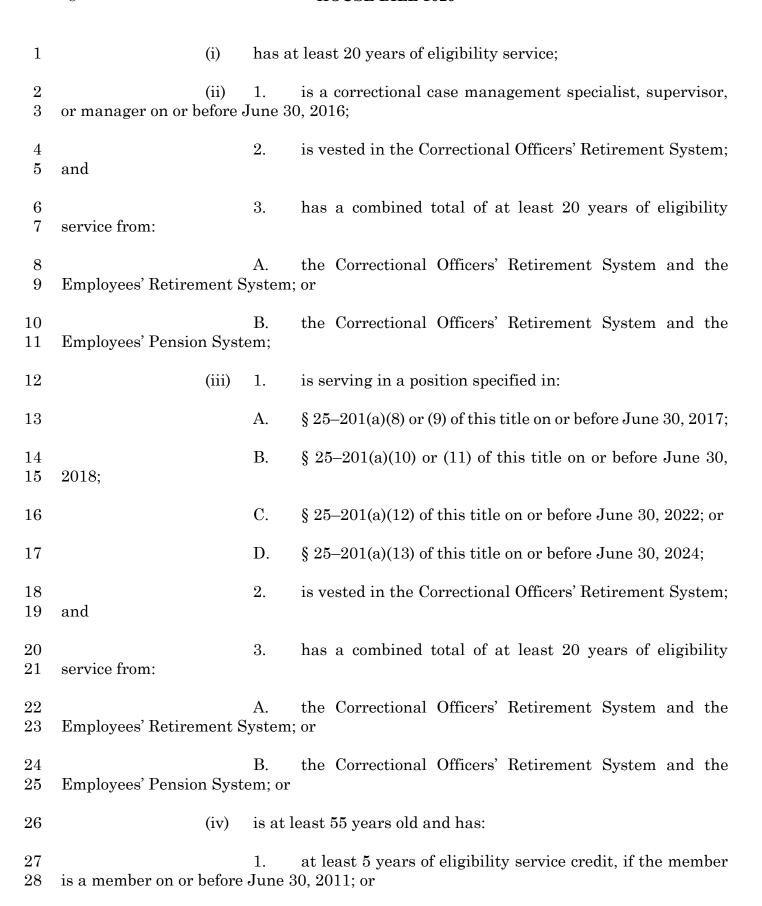
1 2	(13) an individual serving as a Maryland Department of Health employee on or after July 1, 2024:				
3	(i)	at one of the following facilities:			
4		1.	Eastern Shore Hospital Center;		
5		2.	Thomas B. Finan Center;		
6 7	Treatment Program;	3.	Potomac Center/Secure Evaluation and Therapeutic		
8		4.	Spring Grove Hospital Center;		
9		5.	Springfield Hospital Center;		
10 11	Baltimore; or	6.	Regional Institute for Children and Adolescents -		
12 13	Adolescents; and	7.	John L. Gildner Regional Institute for Children and		
14	(ii)	in on	e of the following positions:		
15		1.	a CAMH associate I, II, OR LEAD – CI;		
16		2.	a developmental disability associate $-\operatorname{CI}$ ;		
17		3.	a direct care assistant $\mathbf{I}$ <b>OR</b> $\mathbf{II}$ – $\mathbf{CI}$ ;		
18		4.	A DIRECT CARE TRAINEE – CI;		
19 20	[4.] 5. a licensed practical nurse I, II, III ADVANCE, OR III LEAD – CI;				
21	[5.] <b>6.</b> a resident associate SETT – CI;				
22	[6.] 7. a security attendant I, II, or III;				
23		[7.] 8. a security attendant manager I or II; or			
24		[8.] 9	a security attendant supervisor; AND		
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on or before the date of retirement, the member:

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(1)



- 1 2. at least 10 years of eligibility service credit, if the member 2 becomes a member on or after July 1, 2011; and
- 3 (2) the member completes and submits a written application to the Board 4 of Trustees stating the date when the member desires to retire.
- 5 (b) (1) Except as provided in paragraph (2) of this subsection, on retirement 6 under this section, a member is entitled to receive a normal service retirement allowance 7 that equals one fifty–fifth of the member's average final compensation multiplied by the 8 number of years of creditable service.
- 9 (2) On retirement under this section, if a member's annuity is greater than 10 the member's normal service retirement allowance calculated under paragraph (1) of this 11 subsection, the member's normal service retirement allowance shall equal the member's 12 annuity.
- 13 (c) (1) This subsection applies only to:
- 14 (i) a correctional case management specialist, supervisor, or 15 manager who has a combined total of 20 years of eligibility service as provided in subsection 16 (a)(1)(ii) of this section; or
- 17 (ii) a member serving in a position specified in § 25–201(a)(8), (9), 18 (10), (11), (12), [or] (13), OR (14) of this title who has a combined total of 20 years of eligibility service as provided in subsection (a)(1)(iii) of this section.
- 20 (2) A member is entitled to receive a normal service retirement allowance 21 that equals an allowance based on the creditable service the member has in the 22 Correctional Officers' Retirement System.
- 23 SECTION 2. AND BE IT FURTHER ENACTED, That:
- 24 (a) This section applies to an individual who:
- 25 (1) is employed in a position affected by this Act on July 1, 2025; and
- 26 (2) has creditable service in the Employees' Pension System before July 1, 27 2008.
- 28 (b) Except as provided in subsections (c) and (d) of this section, on June 30, 2026, 29 the Board of Trustees for the State Retirement and Pension System shall transfer the 30 service of an individual described in subsection (a) of this section from the Employees' 31 Retirement System or the Employees' Pension System to the Correctional Officers' 32 Retirement System.
- 33 (c) On or before June 1, 2026, an individual described in subsection (a) of this section who was transferred into the Correctional Officers' Retirement System under this

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- 1 Act may elect not to transfer the individual's Employees' Retirement System or Employees'
- 2 Pension System service to the Correctional Officers' Retirement System by submitting to
- 3 the Board of Trustees for the State Retirement and Pension System a form provided by the
- 4 State Retirement Agency for the purpose of electing not to transfer service under this Act.
  - (d) If an individual described in subsection (a) of this section who was transferred into the Correctional Officers' Retirement System under this Act submits an application for retirement to retire before June 30, 2026, the Board of Trustees for the State Retirement and Pension System shall transfer the individual's service from the Employees' Retirement System or the Employees' Pension System to the Correctional Officers' Retirement System prior to the effective date of retirement, unless the individual elects not to transfer the individual's service in accordance with subsection (c) of this section.

## SECTION 3. AND BE IT FURTHER ENACTED, That:

- 13 (a) This section applies to an individual who:
- 14 (1) is employed in a position affected by this Act on July 1, 2025; and
- 15 (2) has no creditable service in the Employees' Pension System before July 16 1, 2008.
- 17 (b) An individual described in subsection (a) of this section shall have the 18 individual's service credit from the Employees' Pension System transferred and combined 19 with the individual's service in the Correctional Officers' Retirement System.

#### 20 SECTION 4. AND BE IT FURTHER ENACTED, That:

- 21 (a) This section applies to an individual who has service from the Employees' Retirement System or the Employees' Pension System transferred into the Correctional Officers' Retirement System under this Act.
- (b) If an individual described under subsection (a) of this section is granted an ordinary disability benefit under Title 29, Subtitle 1 of the State Personnel and Pensions Article, the Board of Trustees for the State Retirement and Pension System shall calculate the ordinary disability benefit under §§ 29–106 and 29–108 of the State Personnel and Pensions Article and grant the greater benefit to the individual.
- SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2025. Section 2 of this Act shall remain effective for a period of 1 year and, at the end of June 30, 2026, Section 2 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.