

# SENATE BILL 331

P6

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By: **Senator Jackson**

Introduced and read first time: January 15, 2025

Assigned to: Budget and Taxation

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## A BILL ENTITLED

1 AN ACT concerning

2 **State Police Retirement System – Mandatory Retirement Age – Repeal**

3 FOR the purpose of repealing the requirement that certain members of the State Police  
4 Retirement System retire at a certain age; clarifying the eligibility requirement of  
5 State Police Retirement System members in the Deferred Retirement Option  
6 Program (DROP); repealing the requirement that certain members of the State  
7 Police Retirement System may participate in the DROP up to a certain age; and  
8 generally relating to certain members of the State Police Retirement System.

9 BY repealing and reenacting, with amendments,  
10 Article – State Personnel and Pensions  
11 Section 24–401 and 24–401.1(a), (c), (d), and (g)  
12 Annotated Code of Maryland  
13 (2024 Replacement Volume and 2024 Supplement)

14 BY repealing and reenacting, without amendments,  
15 Article – State Personnel and Pensions  
16 Section 24–401.1(b)  
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:

21 **Article – State Personnel and Pensions**

22 24–401.

23 (a) (1) (i) This paragraph applies to an individual who is a member on or  
24 before June 30, 2011.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) A member may retire with a normal service retirement allowance  
2 if:

3 1. on or before the date of retirement, the member:

4 A. has at least 22 years of eligibility service; or

5 B. is at least 50 years old; and

6 2. the member completes and submits a written application  
7 to the Board of Trustees, on the form that the Board of Trustees provides, stating the date  
8 when the member desires to retire.

9 (2) (i) This paragraph applies to an individual who becomes a member  
10 on or after July 1, 2011.

11 (ii) A member may retire with a normal service retirement allowance  
12 if:

13 1. on or before the date of retirement, the member:

14 A. has at least 25 years of eligibility service; or

15 B. is at least 50 years old; and

16 2. the member completes and submits a written application  
17 to the Board of Trustees, on the form that the Board of Trustees provides, stating the date  
18 when the member desires to retire.

19 (b) (1) Subject to the approval of the Board of Trustees, the Secretary of State  
20 Police may order a member who is at least 50 years old to retire on the first day of the  
21 month after the member is notified of the Secretary's order.

22 (2) Before approving the Secretary's order, the Board of Trustees shall give  
23 the member at least 30 days' notice and an opportunity to be heard.

24 (c) [Except for the Secretary of State Police, a member shall retire with a normal  
25 service retirement allowance not later than the first day of the month after the member  
26 becomes 60 years old.

27 (d)] (1) Except as provided in paragraphs (2) and (3) of this subsection, on  
28 retirement under this section, a member is entitled to receive a normal service retirement  
29 allowance that equals 2.55% of the member's average final compensation multiplied by each  
30 year of the member's years of creditable service.

31 (2) A member's normal service retirement allowance may not exceed 71.4%  
32 of the member's average final compensation.

1 (3) Subject to paragraph (2) of this subsection, on retirement under this  
2 section, if a member's annuity is greater than the member's normal service retirement  
3 allowance calculated under paragraph (1) of this subsection, the member's normal service  
4 retirement allowance shall equal the member's annuity.

5 [(e)] (D) Subject to §§ 29–401, 29–402, and 29–403 of this article, a retiree, or a  
6 beneficiary of a retiree, who retires on or before June 30, 1999 with a service retirement  
7 allowance, shall receive an annual retirement allowance adjustment as of July 1, 1999, as  
8 follows:

9 (1) for a retiree who has been retired not more than 5 years, \$1,200;

10 (2) for a retiree who has been retired more than 5 years but not more than  
11 10 years, \$1,500;

12 (3) for a retiree who has been retired more than 10 years but not more than  
13 15 years, \$1,800; and

14 (4) for a retiree who has been retired more than 15 years, \$2,100.

15 24–401.1.

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

17 (2) “DROP” means the Deferred Retirement Option Program established  
18 under this section.

19 (3) “DROP member” means a member of the State Police Retirement  
20 System who:

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

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

25 (4) **“EMPLOYMENT” MEANS EMPLOYMENT IN A POSITION ELIGIBLE**  
26 **FOR MEMBERSHIP IN THE STATE POLICE RETIREMENT SYSTEM.**

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

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

30 (ii) Except for the Secretary of State Police, a member of the State  
31 Police Retirement System is eligible to participate in the DROP if the member[

1                                   1.]     has at least 22 and less than 32 years of [eligibility service;  
2 and

3                                   2.     is less than 60 years old] **EMPLOYMENT.**

4                                   (iii)   The Secretary of State Police is eligible to participate in the  
5 DROP if the Secretary has at least 22 years of [eligibility service] **EMPLOYMENT.**

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

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

10                                  1.]     has at least 25 years and less than 32 years of [eligibility  
11 service; and

12                                  2.     is less than 60 years old] **EMPLOYMENT.**

13                                  (iii)   The Secretary of State Police is eligible to participate in the  
14 DROP if the Secretary has at least 25 years of [eligibility service] **EMPLOYMENT.**

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

17                                  (1)   7 years;

18                                  (2)   the difference between 32 years and the member's [eligibility service]  
19 **EMPLOYMENT** as of the date of the member's election to participate in the DROP and retire  
20 from the State Police Retirement System; **OR**

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

24                                  (4)]   a term selected by the member.

25                                  (g)   Participation in the DROP ends if the DROP participant:

26                                  (1)   separates from employment in accordance with the binding letter of  
27 resignation submitted with the member's election form;

28                                  (2)   [except for the Secretary of State Police, attains age 60;

29                                  (3)]   dies;

1            **[(4)] (3)**        is terminated from employment by the Maryland State Police at  
2 any time before the date specified on the member's election form;

3            **[(5)] (4)**        shortens the time period for participation in the DROP by  
4 delivering to the Maryland State Police and the Board of Trustees written notice of the  
5 intent of the DROP member to terminate employment; or

6            **[(6)] (5)**        accepts a special disability retirement allowance as provided in  
7 subsection (k) of this section.

8            SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
9 1, 2025.