

SENATE BILL 137

P4, D4

(0lr1688)

ENROLLED BILL

— *Finance/Appropriations* —

Introduced by **Senators Cassilly, Gallion, and Jennings**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Harford County – State’s Attorney’s Office and Child Support Administration –**
3 **Transfer of Personnel**

4 FOR the purpose of transferring the functions, powers, and duties of the Child Support
5 Unit of the Office of the State’s Attorney for Harford County to the Child Support
6 Administration of the Department of Human Services; requiring the creation of
7 certain Position Identification Numbers for certain transferred employees; providing
8 for the determination of salary grade and seniority for transferred employees;
9 requiring that certain transferred employees be given credit with the State for years
10 of county employment for purposes of determining leave accumulation and eligibility
11 layoff rights in the State Personnel Management System; requiring that certain
12 transferred employees be credited for certain unused leave; requiring Harford
13 County to pay certain personnel certain compensation as of a certain date; *requiring*
14 *certain employer contributions and interest on behalf of certain transferred employees*
15 *of Harford County to be transferred within the accumulation fund for the Employees’*

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.

Italics indicate opposite chamber/conference committee amendments.



1 Pension System from the municipal pool to the State pool; requiring a certain
 2 actuarial valuation to be performed by a certain actuary; and generally relating to
 3 the transfer of certain personnel to the Child Support Administration of the
 4 Department of Human Services.

5 BY repealing and reenacting, ~~without~~ with amendments,
 6 Article – Family Law
 7 Section 10–117
 8 Annotated Code of Maryland
 9 (2019 Replacement Volume)

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

12 **Article – Family Law**

13 10–117.

14 (a) A county or circuit court with a local support enforcement office may request
 15 that the responsibility for support enforcement be transferred to the Administration.

16 (b) A request for transfer of responsibility under this section must be made to the
 17 Department of Human Services by September 1 of the year preceding the fiscal year for
 18 which responsibility will be transferred.

19 (c) Any personnel of the local support enforcement office involved in a transfer
 20 under this section shall be in the State Personnel Management System and shall be placed
 21 in the position that is comparable to or most closely compares to their former position,
 22 without further examination or qualification. These employees shall be credited with the
 23 years of service with the jurisdiction for purposes of seniority, including the determination
 24 of leave accumulation and the determination of layoff rights under Title 11, Subtitle 2 of
 25 the State Personnel and Pensions Article, and, ~~except as provided under § 2-510 of the~~
 26 ~~Courts Article,~~ shall ~~become~~ **REMAIN** members of the Employees' Pension System of the
 27 State of Maryland. ~~All previous pension contributions shall be transferred in accordance~~
 28 ~~with Title 37 of the State Personnel and Pensions Article.~~ These employees shall receive no
 29 diminution in compensation or accumulated leave solely as a result of the transfer. The
 30 salary grade of these employees shall be determined using a salary based on the same
 31 hourly rate of salary of the employee at the time of transfer. Annual leave in excess of that
 32 which may be retained annually in the State Personnel Management System may be
 33 retained at the time of transfer if that accumulation was permitted by the former employer.

34 SECTION 2. AND BE IT FURTHER ENACTED, That, on July 1, 2020, all the
 35 functions, powers, and duties of the Child Support Unit of the Office of the State's Attorney
 36 for Harford County and the personnel indicated in Section 3 of this Act shall be transferred
 37 to the Child Support Administration of the Department of Human Services.

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

1 (a) Except for the assistant State's Attorneys, all employees of the Child Support
2 Unit of the Office of the State's Attorney for Harford County on June 30, 2020, shall be
3 transferred to the Child Support Administration of the Department of Human Services in
4 accordance with the provisions of § 10–117(c) of the Family Law Article.

5 (b) Except for the assistant State's Attorneys, a Position Identification Number
6 (PIN) shall be created for each transferred employee in a State classification commensurate
7 with the employee's salary grade at the time of the transfer. The salary grade shall be
8 determined using a salary based on the same hourly rate of salary of the employee at the
9 time of transfer.

10 (c) If an employee of the Office of the State's Attorney for Harford County who
11 provides services as an assistant State's Attorney under the 2020 agreement between the
12 Child Support Administration and the Office of the State's Attorney for Harford County for
13 the period between October 1, 2019, and June 30, 2020, both inclusive, is appointed by the
14 Office of the Attorney General to continue providing services for the Child Support
15 Administration as a State employee on or after June 30, 2020, a Position Identification
16 Number (PIN) shall be created for each transferred employee in a State classification
17 commensurate with the employee's salary grade at the time of the transfer. The salary
18 grade shall be determined using a salary based on the same hourly rate of salary of the
19 employee at the time of transfer.

20 (d) Each transferred employee identified in paragraphs (b) and (c) of this
21 subsection shall be given credit with the State for years of county employment for the
22 purposes of seniority including the determination of leave accumulation under Title 9 of
23 the State Personnel and Pensions Article and the determination of layoff rights under Title
24 11, Subtitle 2 of the State Personnel and Pensions Article. Each transferred employee shall
25 also be credited for any unused leave accumulation earned during county employment.

26 (e) It shall be the responsibility of Harford County to pay each employee
27 transferred under this Act any compensation due to the employee on termination of county
28 employment as of June 30, 2020.

29 (f) (1) All employer contributions and interest on those contributions made by
30 Harford County on behalf of employees transferred under this Act, as employees of Harford
31 County, shall be transferred within the accumulation fund for the State Employees' Pension
32 System from the municipal pool to the State pool, in accordance with § 37–205 of the State
33 Personnel and Pensions Article.

34 (2) The actuarial valuation required under § 37–205 of the State Personnel
35 and Pensions Article for the transferred employees transferred under this Act shall be
36 performed by the actuary designated by the Board of Trustees for the State Retirement and
37 Pension System in accordance with § 21–125 of the State Personnel and Pensions Article.

38 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July
39 1, 2020.