

HOUSE BILL 1614

K4

0lr3744
CF 0lr3743

By: **Delegates Jacobs, Arentz, and Ghrist**

Introduced and read first time: February 19, 2020

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Correctional Officers' Retirement System – Kent County**

3 FOR the purpose of requiring membership in the Correctional Officers' Retirement System
4 for certain local detention center officers of Kent County under certain
5 circumstances; providing that a certain individual is entitled to eligibility service and
6 creditable service that was earned before the effective date of Kent County's
7 participation in the Correctional Officers' Retirement System; providing that an
8 individual who receives certain service credit is not a member of and has no rights
9 to a benefit in the Employees' Pension System; providing for the transfer of creditable
10 service for a certain individual; providing for the transfer and crediting of certain
11 assets on the effective date of participation; and generally relating to Kent County's
12 participation in the Correctional Officers' Retirement System.

13 BY adding to

14 Article – State Personnel and Pensions

15 Section 31–2B–07

16 Annotated Code of Maryland

17 (2015 Replacement Volume and 2019 Supplement)

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

20 **Article – State Personnel and Pensions**

21 **31–2B–07.**

22 (A) THIS SECTION APPLIES TO AN INDIVIDUAL WHO IS A LOCAL DETENTION
23 CENTER OFFICER OF KENT COUNTY BEFORE THE EFFECTIVE DATE, AND WHO
24 REMAINS A LOCAL DETENTION CENTER OFFICER OF KENT COUNTY THROUGH THE
25 EFFECTIVE DATE.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(B) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, IF KENT COUNTY BECOMES A PARTICIPATING GOVERNMENTAL UNIT IN THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM, MEMBERSHIP IN THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM IS MANDATORY FOR AN INDIVIDUAL DESCRIBED UNDER SUBSECTION (A) OF THIS SECTION.

(C) IF KENT COUNTY COMMENCES PARTICIPATION IN THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION, AN INDIVIDUAL DESCRIBED UNDER SUBSECTION (A) OF THIS SECTION IS ENTITLED TO ELIGIBILITY SERVICE AND CREDITABLE SERVICE IN THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM FOR EMPLOYMENT WITH KENT COUNTY BEFORE THE EFFECTIVE DATE.

(D) ON JOINING THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM AND RECEIVING SERVICE CREDIT AS PROVIDED UNDER SUBSECTION (C) OF THIS SECTION, AN INDIVIDUAL DESCRIBED UNDER SUBSECTION (A) OF THIS SECTION SHALL:

(1) NO LONGER BE A MEMBER OF THE EMPLOYEES' PENSION SYSTEM; AND

(2) HAVE NO FURTHER RIGHTS TO ANY BENEFIT IN THE EMPLOYEES' PENSION SYSTEM.

(E) THE TRANSFER OF CREDITABLE SERVICE FOR AN INDIVIDUAL DESCRIBED IN SUBSECTION (A) OF THIS SECTION WHO IS A MEMBER OF THE EMPLOYEES' PENSION SYSTEM THROUGH THE EFFECTIVE DATE, AND WHO TRANSFERS TO THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM UNDER THIS SECTION, IS NOT GOVERNED BY TITLE 37 OF THIS ARTICLE.

(F) IF KENT COUNTY BECOMES A PARTICIPATING GOVERNMENTAL UNIT IN THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM, § 31-2B-05(C) OF THIS SUBTITLE SHALL GOVERN THE TRANSFER AND CREDITING OF ASSETS ON THE EFFECTIVE DATE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2020.