

## Chapter 609

(House Bill 801)

AN ACT concerning

### State Retirement and Pension System – Transfer of Members Between Systems

FOR the purpose of providing that if an individual who was a member of one of the several systems in the State Retirement and Pension System on a certain date becomes a member of another one of the several systems on or after a certain date, the individual shall be considered to be a new member of the subsequent system as of a certain date, ~~but is subject to certain requirements that were in place for the subsequent system on a certain date;~~ and is subject to the same requirements to which an individual who was a member of the subsequent system on a certain date and remains a member on a certain date is subject; providing for the application of this Act; and generally relating to the transfer of members between the State retirement and pension systems on or after a certain date.

BY adding to

Article – State Personnel and Pensions  
Section 23–215.2, 24–208, 25–207, and 26–207  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

#### Article – State Personnel and Pensions

#### 23–215.2.

**IF AN INDIVIDUAL WAS A MEMBER OF ANY ONE OF THE SEVERAL SYSTEMS ON JUNE 30, 2011, AND WITHOUT INCURRING A BREAK IN ~~SERVICE~~ EMPLOYMENT OF MORE THAN 30 DAYS, BECOMES A MEMBER OF THE EMPLOYEES' PENSION SYSTEM OR THE TEACHERS' PENSION SYSTEM ON OR AFTER JULY 1, 2011, THE INDIVIDUAL:**

**(1) SHALL BE CONSIDERED TO BE A NEW MEMBER OF THE EMPLOYEES' PENSION SYSTEM OR THE TEACHERS' PENSION SYSTEM AS OF THE DATE THE INDIVIDUAL JOINS THE SYSTEM, ~~BUT;~~ AND**

**(2) IS SUBJECT TO THE SAME REQUIREMENTS ~~THAT WERE IN PLACE FOR THE EMPLOYEES' PENSION SYSTEM OR THE TEACHERS' PENSION SYSTEM ON JUNE 30, 2011, INCLUDING EMPLOYEE CONTRIBUTION RATES, ELIGIBILITY REQUIREMENTS, AND VESTING REQUIREMENTS~~ TO WHICH AN INDIVIDUAL WHO WAS A MEMBER OF THE EMPLOYEES' PENSION SYSTEM OR THE TEACHERS' PENSION SYSTEM ON JUNE 30, 2011, AND REMAINS A MEMBER ON JULY 1, 2011, IS SUBJECT.**

24-208.

IF AN INDIVIDUAL WAS A MEMBER OF ANY ONE OF THE SEVERAL SYSTEMS ON JUNE 30, 2011, AND WITHOUT INCURRING A BREAK IN ~~SERVICE EMPLOYMENT~~ OF MORE THAN 30 DAYS, BECOMES A MEMBER OF THE STATE POLICE RETIREMENT SYSTEM ON OR AFTER JULY 1, 2011, THE INDIVIDUAL:

**(1) SHALL BE CONSIDERED TO BE A NEW MEMBER OF THE STATE POLICE RETIREMENT SYSTEM AS OF THE DATE THE INDIVIDUAL JOINS THE SYSTEM, ~~BUT~~; AND**

**(2) IS SUBJECT TO THE SAME REQUIREMENTS ~~THAT WERE IN PLACE FOR THE STATE POLICE RETIREMENT SYSTEM ON JUNE 30, 2011, INCLUDING EMPLOYEE CONTRIBUTION RATES, ELIGIBILITY REQUIREMENTS, AND VESTING REQUIREMENTS~~ TO WHICH AN INDIVIDUAL WHO WAS A MEMBER OF THE STATE POLICE RETIREMENT SYSTEM ON JUNE 30, 2011, AND REMAINS A MEMBER ON JULY 1, 2011, IS SUBJECT.**

25-207.

IF AN INDIVIDUAL WAS A MEMBER OF ANY ONE OF THE SEVERAL SYSTEMS ON JUNE 30, 2011, AND WITHOUT INCURRING A BREAK IN ~~SERVICE EMPLOYMENT~~ OF MORE THAN 30 DAYS, BECOMES A MEMBER OF THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM ON OR AFTER JULY 1, 2011, THE INDIVIDUAL:

**(1) SHALL BE CONSIDERED TO BE A NEW MEMBER OF THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM AS OF THE DATE THE INDIVIDUAL JOINS THE SYSTEM, ~~BUT~~; AND**

**(2) IS SUBJECT TO THE SAME REQUIREMENTS ~~THAT WERE IN PLACE FOR THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM ON JUNE 30, 2011, INCLUDING EMPLOYEE CONTRIBUTION RATES, ELIGIBILITY REQUIREMENTS, AND VESTING REQUIREMENTS~~ TO WHICH AN INDIVIDUAL WHO**

WAS A MEMBER OF THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM ON JUNE 30, 2011, AND REMAINS A MEMBER ON JULY 1, 2011, IS SUBJECT.

26-207.

IF AN INDIVIDUAL WAS A MEMBER OF ANY ONE OF THE SEVERAL SYSTEMS ON JUNE 30, 2011, AND WITHOUT INCURRING A BREAK IN ~~SERVICE EMPLOYMENT~~ OF MORE THAN 30 DAYS, BECOMES A MEMBER OF THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM ON OR AFTER JULY 1, 2011, THE INDIVIDUAL:

(1) SHALL BE CONSIDERED TO BE A NEW MEMBER OF THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM AS OF THE DATE THE INDIVIDUAL JOINS THE SYSTEM, ~~BUT; AND~~

(2) IS SUBJECT TO THE SAME REQUIREMENTS THAT WERE IN PLACE FOR THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM ON JUNE 30, 2011, INCLUDING EMPLOYEE CONTRIBUTION RATES, ELIGIBILITY REQUIREMENTS, AND VESTING REQUIREMENTS TO WHICH AN INDIVIDUAL WHO WAS A MEMBER OF THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM ON JUNE 30, 2011, AND REMAINS A MEMBER ON JULY 1, 2011, IS SUBJECT.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply retroactively and shall be applied to and interpreted to affect individuals who were members of one of the several systems on June 30, 2011, and became members of another one of the several systems on or after July 1, 2011.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2012.

Approved by the Governor, May 22, 2012.