

HOUSE BILL 886

P6

5lr2228
CF SB 612

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

Introduced and read first time: January 30, 2025

Assigned to: Appropriations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 4, 2025

CHAPTER _____

1 AN ACT concerning

2 **State Retirement and Pension System – Deferred Vested Former Members –**
3 **Return to Service**

4 FOR the purpose of establishing that an individual who, after earning service credit
5 sufficient for a vested allowance in ~~the Employees' Pension System~~, the State Police
6 Retirement System, the Correctional Officers' Retirement System, or the Law
7 Enforcement Officers' Pension System, separates from service, and subsequently
8 returns to service in a position in the same system under certain circumstances, is
9 subject to the same requirements to which certain members of the same system are
10 subject; and generally relating to the resumption of employment in a position
11 included in the State Retirement and Pension System.

12 BY adding to
13 Article – State Personnel and Pensions
14 Section ~~23–215.3~~, 24–207.1, 25–205.1, and 26–206.1
15 Annotated Code of Maryland
16 (2024 Replacement Volume and 2024 Supplement)

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

19 **Article – State Personnel and Pensions**

20 ~~**23–215.3.**~~

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.



~~(A) THIS SECTION APPLIES TO AN INDIVIDUAL WHO:~~

~~(1) ON OR BEFORE JUNE 30, 2011, WAS A MEMBER OF THE EMPLOYEES' PENSION SYSTEM WHO WAS SUBJECT TO:~~

~~(I) THE NONCONTRIBUTORY PENSION BENEFIT UNDER PART I OF THIS SUBTITLE; OR~~

~~(II) THE CONTRIBUTORY PENSION BENEFIT UNDER PART II OF THIS SUBTITLE;~~

~~(2) (I) IS SEPARATED FROM EMPLOYMENT FOR 4 YEARS OR LESS;~~

~~(II) 1. IS SEPARATED FROM EMPLOYMENT FOR MILITARY SERVICE THAT MEETS THE REQUIREMENTS OF THE FEDERAL UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT; AND~~

~~2. RESUMES EMPLOYMENT WITHIN 1 YEAR OF LEAVING MILITARY SERVICE IN A POSITION THAT:~~

~~A. FOR AN INDIVIDUAL DESCRIBED UNDER ITEM (1)(I) OF THIS SUBSECTION IS SUBJECT TO THE NONCONTRIBUTORY PENSION BENEFIT UNDER PART I OF THIS SUBTITLE; OR~~

~~B. FOR AN INDIVIDUAL DESCRIBED UNDER ITEM (1)(II) OF THIS SUBSECTION IS SUBJECT TO THE CONTRIBUTORY PENSION BENEFIT UNDER PART II OF THIS SUBTITLE; OR~~

~~(III) IS SEPARATED FROM EMPLOYMENT WITH THE MINIMUM ELIGIBILITY SERVICE NEEDED TO BE ELIGIBLE FOR A VESTED ALLOWANCE UNDER TITLE 29, SUBTITLE 3 OF THIS ARTICLE;~~

~~(3) DOES NOT WITHDRAW THE MEMBER'S ACCUMULATED CONTRIBUTIONS; AND~~

~~(4) DOES NOT BECOME A RETIREE.~~

~~(B) (1) AN INDIVIDUAL DESCRIBED IN SUBSECTION (A)(1)(I) OF THIS SECTION WHO RESUMES EMPLOYMENT IN A POSITION THAT IS SUBJECT TO THE NONCONTRIBUTORY PENSION BENEFIT OF PART I OF THIS SUBTITLE IS SUBJECT TO THE SAME REQUIREMENTS TO WHICH AN INDIVIDUAL WHO WAS SUBJECT TO THE NONCONTRIBUTORY PENSION BENEFIT OF PART I OF THIS SUBTITLE ON JUNE 30, 2011, AND REMAINS A MEMBER ON JULY 1, 2011, IS SUBJECT.~~

~~(2) AN INDIVIDUAL DESCRIBED IN SUBSECTION (A)(1)(II) OF THIS SECTION WHO RESUMES EMPLOYMENT IN A POSITION THAT IS SUBJECT TO THE CONTRIBUTORY PENSION BENEFIT OF PART II OF THIS SUBTITLE IS SUBJECT TO THE SAME REQUIREMENTS TO WHICH AN INDIVIDUAL WHO WAS SUBJECT TO THE CONTRIBUTORY PENSION BENEFIT OF PART II OF THIS SUBTITLE ON JUNE 30, 2011, AND REMAINS A MEMBER ON JULY 1, 2011, IS SUBJECT.~~

~~24-207.1.~~

(A) THIS SECTION APPLIES TO AN INDIVIDUAL WHO:

(1) ON OR BEFORE JUNE 30, 2011, WAS A MEMBER OF THE STATE POLICE RETIREMENT SYSTEM;

(2) (I) IS SEPARATED FROM EMPLOYMENT FOR 4 YEARS OR LESS;

(II) 1. IS SEPARATED FROM EMPLOYMENT FOR MILITARY SERVICE THAT MEETS THE REQUIREMENTS OF THE FEDERAL UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT; AND

2. RESUMES EMPLOYMENT WITHIN 1 YEAR OF LEAVING MILITARY SERVICE IN A POSITION THAT IS INCLUDED IN THE STATE POLICE RETIREMENT SYSTEM; OR

(III) IS SEPARATED FROM EMPLOYMENT WITH THE MINIMUM ELIGIBILITY SERVICE NEEDED TO BE ELIGIBLE FOR A VESTED ALLOWANCE UNDER TITLE 29, SUBTITLE 3 OF THIS ARTICLE;

(3) DOES NOT WITHDRAW THE MEMBER'S ACCUMULATED CONTRIBUTIONS; AND

(4) DOES NOT BECOME A RETIREE.

(B) AN INDIVIDUAL DESCRIBED IN SUBSECTION (A) OF THIS SECTION WHO RESUMES EMPLOYMENT IN A POSITION THAT IS INCLUDED IN THE STATE POLICE RETIREMENT SYSTEM IS SUBJECT TO THE SAME 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.

~~25-205.1.~~

(A) THIS SECTION APPLIES TO AN INDIVIDUAL WHO:

1 **(1) ON OR BEFORE JUNE 30, 2011, WAS A MEMBER OF THE**
2 **CORRECTIONAL OFFICERS' RETIREMENT SYSTEM;**

3 **(2) (I) IS SEPARATED FROM EMPLOYMENT FOR 4 YEARS OR LESS;**

4 **(II) 1. IS SEPARATED FROM EMPLOYMENT FOR MILITARY**
5 **SERVICE THAT MEETS THE REQUIREMENTS OF THE FEDERAL UNIFORMED**
6 **SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT; AND**

7 **2. RESUMES EMPLOYMENT WITHIN 1 YEAR OF LEAVING**
8 **MILITARY SERVICE IN A POSITION THAT IS INCLUDED IN THE CORRECTIONAL**
9 **OFFICERS' RETIREMENT SYSTEM; OR**

10 **(III) IS SEPARATED FROM EMPLOYMENT WITH THE MINIMUM**
11 **ELIGIBILITY SERVICE NEEDED TO BE ELIGIBLE FOR A VESTED ALLOWANCE UNDER**
12 **TITLE 29, SUBTITLE 3 OF THIS ARTICLE;**

13 **(3) DOES NOT WITHDRAW THE MEMBER'S ACCUMULATED**
14 **CONTRIBUTIONS; AND**

15 **(4) DOES NOT BECOME A RETIREE.**

16 **(B) AN INDIVIDUAL DESCRIBED IN SUBSECTION (A) OF THIS SECTION WHO**
17 **RESUMES EMPLOYMENT IN A POSITION THAT IS INCLUDED IN THE CORRECTIONAL**
18 **OFFICERS' RETIREMENT SYSTEM IS SUBJECT TO THE SAME REQUIREMENTS TO**
19 **WHICH AN INDIVIDUAL WHO WAS A MEMBER OF THE CORRECTIONAL OFFICERS'**
20 **RETIREMENT SYSTEM ON JUNE 30, 2011, AND REMAINS A MEMBER ON JULY 1, 2011,**
21 **IS SUBJECT.**

22 **26-206.1.**

23 **(A) THIS SECTION APPLIES TO AN INDIVIDUAL WHO:**

24 **(1) ON OR BEFORE JUNE 30, 2011, WAS A MEMBER OF THE LAW**
25 **ENFORCEMENT OFFICERS' PENSION SYSTEM;**

26 **(2) (I) IS SEPARATED FROM EMPLOYMENT FOR 4 YEARS OR LESS;**

27 **(II) 1. IS SEPARATED FROM EMPLOYMENT FOR MILITARY**
28 **SERVICE THAT MEETS THE REQUIREMENTS OF THE FEDERAL UNIFORMED**
29 **SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT; AND**

1 **2. RESUMES EMPLOYMENT WITHIN 1 YEAR OF LEAVING**
2 **MILITARY SERVICE IN A POSITION THAT IS INCLUDED IN THE CORRECTIONAL**
3 **OFFICERS' RETIREMENT SYSTEM; OR**

4 **(III) IS SEPARATED FROM EMPLOYMENT WITH THE MINIMUM**
5 **ELIGIBILITY SERVICE NEEDED TO BE ELIGIBLE FOR A VESTED ALLOWANCE UNDER**
6 **TITLE 29, SUBTITLE 3 OF THIS ARTICLE;**

7 **(3) DOES NOT WITHDRAW THE MEMBER'S ACCUMULATED**
8 **CONTRIBUTIONS; AND**

9 **(4) DOES NOT BECOME A RETIREE.**

10 **(B) AN INDIVIDUAL DESCRIBED IN SUBSECTION (A) OF THIS SECTION WHO**
11 **RESUMES EMPLOYMENT IN A POSITION THAT IS INCLUDED IN THE LAW**
12 **ENFORCEMENT OFFICERS' PENSION SYSTEM IS SUBJECT TO THE SAME**
13 **REQUIREMENTS TO WHICH AN INDIVIDUAL WHO WAS A MEMBER OF THE LAW**
14 **ENFORCEMENT OFFICERS' PENSION SYSTEM ON JUNE 30, 2011, AND REMAINS A**
15 **MEMBER ON JULY 1, 2011, IS SUBJECT.**

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
17 1, 2025.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.