

# 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

---

## A BILL ENTITLED

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.**

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

22 **(1) ON OR BEFORE JUNE 30, 2011, WAS A MEMBER OF THE**  
23 **EMPLOYEES’ PENSION SYSTEM WHO WAS SUBJECT TO:**

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1                   **(I) THE NONCONTRIBUTORY PENSION BENEFIT UNDER PART I**  
2 **OF THIS SUBTITLE; OR**

3                   **(II) THE CONTRIBUTORY PENSION BENEFIT UNDER PART II OF**  
4 **THIS SUBTITLE;**

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

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

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

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

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

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

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

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

23                   **(B) (1) AN INDIVIDUAL DESCRIBED IN SUBSECTION (A)(1)(I) OF THIS**  
24 **SECTION WHO RESUMES EMPLOYMENT IN A POSITION THAT IS SUBJECT TO THE**  
25 **NONCONTRIBUTORY PENSION BENEFIT OF PART I OF THIS SUBTITLE IS SUBJECT TO**  
26 **THE SAME REQUIREMENTS TO WHICH AN INDIVIDUAL WHO WAS SUBJECT TO THE**  
27 **NONCONTRIBUTORY PENSION BENEFIT OF PART I OF THIS SUBTITLE ON JUNE 30,**  
28 **2011, AND REMAINS A MEMBER ON JULY 1, 2011, IS SUBJECT.**

29   **(2) AN INDIVIDUAL DESCRIBED IN SUBSECTION (A)(1)(II) OF THIS**  
30 **SECTION WHO RESUMES EMPLOYMENT IN A POSITION THAT IS SUBJECT TO THE**  
31 **CONTRIBUTORY PENSION BENEFIT OF PART II OF THIS SUBTITLE IS SUBJECT TO**  
32 **THE SAME REQUIREMENTS TO WHICH AN INDIVIDUAL WHO WAS SUBJECT TO THE**

1 CONTRIBUTORY PENSION BENEFIT OF PART II OF THIS SUBTITLE ON JUNE 30, 2011,  
2 AND REMAINS A MEMBER ON JULY 1, 2011, IS SUBJECT.

3 24-207.1.

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

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

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

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

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

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

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

19 (4) DOES NOT BECOME A RETIREE.

20 (B) AN INDIVIDUAL DESCRIBED IN SUBSECTION (A) OF THIS SECTION WHO  
21 RESUMES EMPLOYMENT IN A POSITION THAT IS INCLUDED IN THE STATE POLICE  
22 RETIREMENT SYSTEM IS SUBJECT TO THE SAME REQUIREMENTS TO WHICH AN  
23 INDIVIDUAL WHO WAS A MEMBER OF THE STATE POLICE RETIREMENT SYSTEM ON  
24 JUNE 30, 2011, AND REMAINS A MEMBER ON JULY 1, 2011, IS SUBJECT.

25 25-205.1.

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

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

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

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

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

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

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

12                  (4) DOES NOT BECOME A RETIREE.

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

19 **26-206.1.**

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

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

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

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

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

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

4                   **(3) DOES NOT WITHDRAW THE MEMBER’S ACCUMULATED**  
5 **CONTRIBUTIONS; AND**

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

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

13                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
14 1, 2025.