

SENATE BILL 195

P4, D4

6lr1008
CF 6lr1007

By: **Senators Ready and Bates**

Introduced and read first time: January 20, 2016

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

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

4 FOR the purpose of transferring the functions, powers, and duties of the Child Support Unit
5 of the Office of the State’s Attorney for Carroll County to the Child Support
6 Enforcement Administration of the Department of Human Resources; requiring that
7 certain employees be transferred in accordance with certain provisions of law that
8 provide for inclusion in the State Personnel Management System, seniority,
9 compensation, annual leave accrual, transfer of certain pension contributions, and
10 other personnel matters for employees transferring to the Child Support Enforcement
11 Administration; requiring Carroll County to pay certain personnel certain
12 compensation as of a certain date; requiring the creation of certain Position
13 Identification Numbers for certain transferred employees; providing for the
14 determination of salary grade and seniority for transferred employees; prohibiting
15 the assignment of a transferred employee to a certain office for a certain period of
16 time unless the employee agrees to the assignment; and generally relating to the
17 transfer of certain personnel to the Child Support Enforcement Administration of the
18 Department of Human Resources.

19 BY repealing and reenacting, without amendments,
20 Article – Family Law
21 Section 10–117
22 Annotated Code of Maryland
23 (2012 Replacement Volume and 2015 Supplement)

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

26 **Article – Family Law**

27 10–117.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 (b) A request for transfer of responsibility under this section must be made to the
4 Department of Human Resources by September 1 of the year preceding the fiscal year for
5 which responsibility will be transferred.

6 (c) Any personnel of the local support enforcement office involved in a transfer
7 under this section shall be in the State Personnel Management System and shall be placed
8 in the position that is comparable to or most closely compares to their former position,
9 without further examination or qualification. These employees shall be credited with the
10 years of service with the jurisdiction for purposes of seniority, including the determination
11 of leave accumulation and the determination of layoff rights under Title 11, Subtitle 2 of
12 the State Personnel and Pensions Article, and, except as provided under § 2–510 of the
13 Courts Article, shall become members of the Employees’ Pension System of the State of
14 Maryland. All previous pension contributions shall be transferred in accordance with Title
15 37 of the State Personnel and Pensions Article. These employees shall receive no
16 diminution in compensation or accumulated leave solely as a result of the transfer. The
17 salary grade of these employees shall be determined using a salary based on the same
18 hourly rate of salary of the employee at the time of transfer. Annual leave in excess of that
19 which may be retained annually in the State Personnel Management System may be
20 retained at the time of transfer if that accumulation was permitted by the former employer.

21 SECTION 2. AND BE IT FURTHER ENACTED, That, on July 1, 2016, all the
22 functions, powers, and duties of the Child Support Unit of the Office of the State’s Attorney
23 for Carroll County and the personnel indicated in Section 3 of this Act shall be transferred
24 to the Child Support Enforcement Administration of the Department of Human Resources.

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

26 (a) Except for the assistant State’s Attorneys, all employees of the Child Support
27 Unit of the Office of the State’s Attorney for Carroll County on June 30, 2016, shall be
28 transferred to the Child Support Enforcement Administration of the Department of Human
29 Resources in accordance with the provisions of § 10–117(c) of the Family Law Article.

30 (b) Except for the assistant State’s Attorneys, a Position Identification Number
31 (PIN) shall be created for each transferred employee in a State classification commensurate
32 with the employee’s salary grade at the time of the transfer. The salary grade shall be
33 determined using a salary based on the same hourly rate of salary of the employee at the
34 time of transfer. Each transferred employee shall be given credit with the State for years
35 of County employment for purposes of seniority including the determination of leave
36 accumulation and determination of layoff rights under Title 11, Subtitle 2 of the State
37 Personnel and Pensions Article.

38 (c) It shall be the responsibility of Carroll County to pay to each employee
39 transferred under this Act any compensation due to the employee on termination of County

1 employment as of June 30, 2016.

2 (d) An employee transferred under this Act may not be assigned to work in any
3 office of the Child Support Enforcement Administration outside Carroll County before July
4 1, 2021, unless the employee agrees to the assignment.

5 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July
6 1, 2016.