

HOUSE BILL 526

P4, D4

3lr2202

By: **St. Mary's County Delegation**

Introduced and read first time: February 1, 2023

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **St. Mary's County – Transfer of Child Support Unit and Personnel to the Child**
3 **Support Administration**

4 FOR the purpose of transferring all the functions, powers, and duties of the Child Support
5 Unit of the Office of the State's Attorney for St. Mary's County and specified
6 personnel to the Child Support Administration of the Department of Human
7 Services; and generally relating to child support enforcement.

8 BY repealing and reenacting, without amendments,
9 Article – Family Law
10 Section 10–117
11 Annotated Code of Maryland
12 (2019 Replacement Volume and 2022 Supplement)

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

15 **Article – Family Law**

16 10–117.

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

19 (b) A request for transfer of responsibility under this section must be made to the
20 Department of Human Services by September 1 of the year preceding the fiscal year for
21 which responsibility will be transferred.

22 (c) Any personnel of the local support enforcement office involved in a transfer
23 under this section shall be in the State Personnel Management System and shall be placed
24 in the position that is comparable to or most closely compares to their former position,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



without further examination or qualification. These employees shall be credited with the years of service with the jurisdiction for purposes of seniority, including the determination of leave accumulation and the determination of layoff rights under Title 11, Subtitle 2 of the State Personnel and Pensions Article, and shall remain members of the Employees' Pension System of the State of Maryland. These employees shall receive no diminution in compensation or accumulated leave solely as a result of the transfer. The salary grade of these employees shall be determined using a salary based on the same hourly rate of salary of the employee at the time of transfer. Annual leave in excess of that which may be retained annually in the State Personnel Management System may be retained at the time of transfer if that accumulation was permitted by the former employer.

SECTION 2. AND BE IT FURTHER ENACTED, That, on July 1, 2023, all the functions, powers, and duties of the Child Support Unit of the Office of the State's Attorney for St. Mary's County and the personnel indicated in Section 3 of this Act shall be transferred to the Child Support Administration of the Department of Human Services.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(1) all employees of the Child Support Unit of the Office of the State's Attorney for St. Mary's County on July 1, 2023, shall be transferred to the Child Support Administration of the Department of Human Services in accordance with the provisions of § 10–117 of the Family Law Article;

(2) the Maryland Department of Budget and Management shall increase the number of Child Support Administration Position Identification Numbers (PINs) by six, to be allocated to the Department of Human Services and assigned to the St. Mary's County Department of Social Services;

(3) if an employee of the Office of the State's Attorney for St. Mary's County who provides services as an Assistant State's Attorney under the 2023 agreement between the Child Support Administration and the Office of the State's Attorney for St. Mary's County for the period between October 1, 2022, and June 30, 2023, both inclusive, is appointed by the Office of the Attorney General to continue providing services for the Child Support Administration as a State employee on or after June 30, 2023, a Position Identification Number (PIN) shall be created for each transferred employee in a State classification commensurate with the employee's salary grade at the time of the transfer;

(4) the salary grade specified in item (3) of this section shall be determined using a salary based on the same hourly rate of salary of the employee at the time of the transfer;

(5) each transferred employee described in items (2) and (3) of this section shall be given credit with the State for years of county employment for purposes of seniority, including the determination of leave accumulation and the determination of layoff rights under Title 11, Subtitle 2 of the State Personnel and Pensions Article;

1 (6) each transferred employee shall also be credited for any unused leave
2 accumulation earned during county employment; and

3 (7) it shall be the responsibility of St. Mary's County to pay to each
4 employee transferred under this Act any salary compensation due to the employee on
5 termination of county employment as of June 30, 2023.

6 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July
7 1, 2023.