

Chapter 242

(House Bill 526)

AN ACT concerning

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

FOR the purpose of transferring 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 specified personnel to the Child Support Administration of the Department of Human Services; and generally relating to child support enforcement.

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

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

Article – Family Law

10–117.

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

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

(c) Any personnel of the local support enforcement office involved in a transfer under this section shall be in the State Personnel Management System and shall be placed in the position that is comparable to or most closely compares to their former position, 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)~~ (a) ~~all~~ All employees of the Child Support Unit of the Office of the State's Attorney for St. Mary's County on ~~July~~ October 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)~~ (b) ~~the~~ The Maryland Department of Budget and Management shall increase the number of Child Support Administration Position Identification Numbers (PINs) by ~~six~~ an equivalent number, to be allocated to the Department of Human Services and assigned to the St. Mary's County Department of Social Services_;

~~(3)~~ (c) ~~if~~ 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~~ September 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~~ September 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)~~ (d) ~~the~~ The salary grade specified in ~~item (3)~~ subsection (c) 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)~~ (e) ~~each~~ Each transferred employee described in ~~items (2)~~ subsections (b) and ~~(3)~~ (c) 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_;

~~(6)~~ (f) ~~each~~ Each transferred employee shall also be credited for any unused leave accumulation earned during county employment_; ~~and~~

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

(h) (1) All employer contributions and interest on those contributions made by St. Mary's County on behalf of employees transferred under this Act, as employees of St. Mary's County, shall be transferred within the accumulation fund for the State Employees' Pension System from the municipal pool to the State pool, in accordance with § 37-205 of the State Personnel and Pensions Article.

(2) The actuarial valuation required under § 37-205 of the State Personnel and Pensions Article for the transferred employees transferred under this Act shall be performed by the actuary designated by the Board of Trustees for the State Retirement and Pension System in accordance with § 21-125 of the State Personnel and Pensions Article.

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

Approved by the Governor, April 24, 2023.