

HOUSE BILL 1047

P4, L1

3lr1487

By: **Delegate Ebersole**

Introduced and read first time: February 10, 2023

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 6, 2023

CHAPTER _____

1 AN ACT concerning

2 **Juvenile Services Education Program – Transfer of Locally Employed**
3 **Educational Professionals**

4 FOR the purpose of requiring certain educational professionals employed by a county board
5 of education or a county public library system who transfer to the Juvenile Services
6 Education Program ~~to be placed in a position comparable to their former position~~
7 ~~and compensated at a salary based on the same hourly rate as their former position;~~
8 ~~requiring a locally employed educational professional who transfers to the Program~~
9 to receive no diminution in accumulated leave and authorizing the individual to
10 retain annual leave in excess of a certain limit under certain circumstances; applying
11 this Act retroactively; and generally relating to the transfer of accumulated leave of
12 locally employed educational professionals who transfer to the Juvenile Services
13 Education Program.

14 BY adding to
15 Article – Human Services
16 Section 9–609
17 Annotated Code of Maryland
18 (2019 Replacement Volume and 2022 Supplement)

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

21 **Article – Human Services**

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.



1 **9-609.**

2 (A) IN THIS SECTION, "LOCALLY EMPLOYED EDUCATIONAL PROFESSIONAL"
3 MEANS AN INDIVIDUAL WHO IS EMPLOYED, OR WAS EMPLOYED, BY:

4 (1) A COUNTY BOARD OF EDUCATION, INCLUDING BALTIMORE CITY,
5 IN A POSITION FOR WHICH CERTIFICATION WAS REQUIRED BY THE STATE BOARD OF
6 EDUCATION AND THE PROFESSIONAL STANDARDS AND TEACHER EDUCATION
7 BOARD; OR

8 (2) A COUNTY PUBLIC LIBRARY SYSTEM IN THE POSITION OF
9 LIBRARIAN OR PUBLIC LIBRARY ASSOCIATE.

10 ~~(B) THIS SECTION APPLIES ONLY TO A LOCALLY EMPLOYED EDUCATIONAL~~
11 ~~PROFESSIONAL WHO, ON OR AFTER JULY 1, 2022, TRANSFERS TO THE JUVENILE~~
12 ~~SERVICES EDUCATION PROGRAM.~~

13 ~~(C) A LOCALLY EMPLOYED EDUCATIONAL PROFESSIONAL WHO TRANSFERS~~
14 ~~TO THE JUVENILE SERVICES EDUCATION PROGRAM:~~

15 ~~(1) SHALL BE PLACED IN A POSITION THAT IS COMPARABLE TO OR~~
16 ~~MOST CLOSELY COMPARES TO THE INDIVIDUAL'S FORMER POSITION WITHOUT~~
17 ~~FURTHER EXAMINATION OR QUALIFICATION; AND~~

18 ~~(2) SHALL BE COMPENSATED AT A SALARY BASED ON THE SAME~~
19 ~~HOURLY RATE OF SALARY OF THE INDIVIDUAL'S FORMER POSITION AT THE TIME OF~~
20 ~~THE TRANSFER.~~

21 ~~(D) AT THE TIME A LOCALLY EMPLOYED EDUCATIONAL PROFESSIONAL~~
22 ~~TRANSFERS TO THE JUVENILE SERVICES EDUCATION PROGRAM, A POSITION~~
23 ~~IDENTIFICATION NUMBER (PIN) SHALL BE CREATED IN A STATE CLASSIFICATION~~
24 ~~COMMENSURATE WITH THE SALARY GRADE OF THE INDIVIDUAL'S FORMER~~
25 ~~POSITION AT THE TIME OF TRANSFER.~~

26 ~~(E)~~ (1) A LOCALLY EMPLOYED EDUCATIONAL PROFESSIONAL WHO
27 TRANSFERS TO THE JUVENILE SERVICES EDUCATION PROGRAM:

28 (I) SHALL RECEIVE NO DIMINUTION IN ACCUMULATED LEAVE
29 SOLELY AS A RESULT OF THE TRANSFER; AND

30 (II) MAY MAINTAIN THE LEAVE AND COMPENSATION RATES
31 PROVIDED BY THE LOCAL EMPLOYER AFTER THE TRANSFER.

1 **(2) A LOCALLY EMPLOYED EDUCATIONAL PROFESSIONAL WHO**
2 **TRANSFERS TO THE JUVENILE SERVICES EDUCATION PROGRAM MAY RETAIN**
3 **ACCUMULATED ANNUAL LEAVE IN THE AMOUNT AUTHORIZED BY THE INDIVIDUAL’S**
4 **LOCAL EMPLOYER AT THE TIME OF TRANSFER EVEN IF THE INDIVIDUAL’S**
5 **ACCUMULATED ANNUAL LEAVE IS IN EXCESS OF THE AMOUNT OF ANNUAL LEAVE AN**
6 **EMPLOYEE OF THE JUVENILE SERVICES EDUCATION PROGRAM IS AUTHORIZED TO**
7 **RETAIN.**

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to
9 apply retroactively and shall be applied to and interpreted to affect any transfers by locally
10 employed educational professionals, as defined in § 9–609 of the Human Services Article,
11 as enacted by Section 1 of this Act, to the Juvenile Services Education Program on or after
12 July 1, 2022.

13 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
14 1, 2023.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.