

employees who have experienced a break in service and are selected to fill budgeted positions.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 13-304

Annotated Code of Maryland

(1997 Replacement Volume and 2001 Supplement)

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

**Article – State Personnel and Pensions**

13-304.

(A) THIS SECTION APPLIES TO A CONTRACTUAL EMPLOYEE WHO:

(1) WITHOUT A BREAK IN SERVICE, TRANSFERS TO A BUDGETED POSITION UNDER THIS SUBTITLE OR WHO IS SELECTED TO FILL A BUDGETED POSITION IN THE STATE PERSONNEL MANAGEMENT SYSTEM IN THE SAME PRINCIPAL UNIT THAT EMPLOYS THE CONTRACTUAL EMPLOYEE; OR

(2) (I) AFTER A BREAK IN SERVICE, HAS COMPLETED 1 YEAR OF EMPLOYMENT IN A BUDGETED POSITION UNDER THIS SUBTITLE OR A BUDGETED POSITION IN THE STATE PERSONNEL MANAGEMENT SYSTEM IN THE SAME PRINCIPAL UNIT THAT EMPLOYED THE CONTRACTUAL EMPLOYEE PRIOR TO THE BREAK IN SERVICE;

(II) DID NOT INCUR A BREAK IN SERVICE FOR MORE THAN 1 YEAR;

AND

(III) DURING THE BREAK IN SERVICE WAS EMPLOYED BY THE WASHINGTON COUNTY HOUSING AUTHORITY IN A POSITION THAT WAS SIMILAR IN DUTIES AND RESPONSIBILITIES TO THE CONTRACTUAL POSITION.

[(a)] (B) A contractual employee [who transfers to a budgeted position under this subtitle or who is selected to fill a budgeted position in the State Personnel Management System, without a break in service, in the same principal unit that employs the contractual employee,] shall be given credit for service in the contractual position for the purpose of establishing:

- (1) steps in the pay grade applicable to the budgeted position;
- (2) annual leave; and
- (3) seniority rights.

[(b)] (C) A contractual employee who transfers to a budgeted position under this subtitle or who is selected to fill a budgeted position shall become a member of the Employees' Pension System of the State of Maryland.