

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2024, Legislative Day No. 9

Bill No. 40-24

Mr. Wade Kach, Councilman

By the County Council, May 6, 2024

A BILL
ENTITLED

AN ACT concerning

Employees Retirement System – County Council Members

FOR the purpose of clarifying the circumstance under which a former Councilmember who is receiving a service retirement allowance is entitled to a recalculation of their service retirement benefit; and generally relating to the Employees Retirement System.

BY repealing and re-enacting, with amendments

Section 5-1-237(b)
Article 5 – Pensions and Retirement
Title 1 – Employees Retirement System
Subtitle 2 – Retirement System
Baltimore County Code, 2015

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter stricken from existing law.
~~Strike out~~ indicates matter stricken from bill.
Underlining indicates amendments to bill.

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
2 COUNTY, MARYLAND, that the Laws of Baltimore County read as follows:

3
4 ARTICLE 5 – PENSIONS AND RETIREMENT

5 TITLE 1 – Employees Retirement System

6 SUBTITLE 2 – Retirement System
7

8 § 5-1-237. Members of County Council and County Executive.

9 (b) *Service retirement allowance.*

10 (1) Any such member who has completed sixteen (16) years of service or has
11 attained the age of fifty-five (55) and has completed four (4) years of service may retire and
12 receive a retirement allowance which shall be equal to one-twentieth of the member's average
13 final compensation multiplied by the number of years of the member's service. No member may
14 receive a retirement allowance in excess of sixty percent (60%) of the member's average final
15 compensation after twelve (12) years of service, and no member may receive a retirement
16 allowance in excess of seventy percent (70%) of the member's average final compensation after
17 sixteen (16) or more years of service. NOTWITHSTANDING ANYTHING TO THE
18 CONTRARY CONTAINED IN THIS SUBTITLE, A MEMBER WHO RECEIVES A
19 RETIREMENT ALLOWANCE UNDER THIS PARAGRAPH SHALL BE ELIGIBLE FOR
20 ANY PERMITTED COST-OF-LIVING ADJUSTMENTS TO THEIR RETIREMENT
21 ALLOWANCE.

22 (2) NOTWITHSTANDING ANYTHING TO THE CONTRARY CONTAINED
23 IN THIS SUBTITLE, IF THE COMPENSATION PAID TO CURRENT MEMBERS OF THE

COUNTY COUNCIL IS CHANGED IN ACCORDANCE WITH § 2-1-102 OF THE CODE,
ANY SUCH MEMBER WHO RETIRES ON OR AFTER JANUARY 1, 2025 AND RECEIVES
A RETIREMENT ALLOWANCE UNDER PARAGRAPH (1) OF THIS SUBSECTION
SHALL WITHIN 30 DAYS OF THE CHANGE HAVE THEIR RETIREMENT ALLOWANCE
RECALCULATED AS FOLLOWS:

(I) FOR A FORMER MEMBER OF THE COUNTY COUNCIL WHO
WAS A CHAIR DURING THEIR TENURE, THE MEMBER'S SERVICE RETIREMENT
BENEFIT SHALL BE RECALCULATED BASED ON THE CHANGE IN COMPENSATION
PAID TO THE CHAIR OF THE COUNTY COUNCIL.

(II) FOR A FORMER MEMBER OF THE COUNTY COUNCIL WHO
WAS NOT A CHAIR DURING THEIR TENURE, THE MEMBER'S SERVICE
RETIREMENT BENEFIT SHALL BE RECALCULATED BASED ON THE CHANGE IN
COMPENSATION PAID TO A MEMBER OF THE COUNTY COUNCIL.

(3) A MEMBER WHO RECEIVES A RETIREMENT ALLOWANCE OR A
RECALCULATION OF THEIR BENEFIT UNDER PARAGRAPH (2) OF THIS
SUBSECTION SHALL NOT BE ELIGIBLE FOR ANY COST-OF-LIVING ADJUSTMENTS
TO THEIR RETIREMENT ALLOWANCE.

SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having been passed by
the County Council, shall take effect 45 days from the date of its enactment.



LEGISLATION DETAIL

LEGISLATION

DISPOSITION

ENACTED

EFFECTIVE

AMENDMENTS

ROLL CALL - BILL

MOTION

SECOND

AYE

NAY

☐☐

Councilman Young

☐☐

Councilman Patoka

☐☐

Councilman Kach

☐☐

Councilman Jones

☐☐

Councilman Marks

☐☐

Councilman Ertel

☐

*ABSENT

☐

Councilman Crandell

ROLL CALL - AMENDMENTS

MOTION

SECOND

AYE

NAY

☐☐

Councilman Young

☐☐

Councilman Patoka

☐☐

Councilman Kach

☐☐

Councilman Jones

☐☐

Councilman Marks

☐☐

Councilman Ertel

☐

*ABSENT

☐

Councilman Crandell

ROLL CALL - AMENDMENTS

MOTION

SECOND

AYE

NAY

☐☐

Councilman Young

☐☐

Councilman Patoka

☐☐

Councilman Kach

☐☐

Councilman Jones

☐☐

Councilman Marks

☐☐

Councilman Ertel

☐

*ABSENT

☐

Councilman Crandell

ROLL CALL - AMENDMENTS

MOTION

SECOND

AYE

NAY

☐☐

Councilman Young

☐☐

Councilman Patoka

☐☐

Councilman Kach

☐☐

Councilman Jones

☐☐

Councilman Marks

☐☐

Councilman Ertel

☐

*ABSENT

☐

Councilman Crandell