

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2024, Legislative Day No. 11

Bill No. 44-24

Mr. Izzy Patoka, Chairman
By Request of County Executive

By the County Council, June 3, 2024

A BILL
ENTITLED

AN ACT concerning

Employees Retirement System

FOR the purpose of establishing provisions relating to the pensions of: ~~sworn members of the Police Department on Pay Schedule IV; Deputy Sheriffs on Pay Schedule XIII; Group 4 Plan B members on Pay Schedule V who are sworn personnel of the Fire Department;~~ and sworn personnel in the Police Department on Pay Schedule IV who are members of the Employees' Retirement System and eligible to receive an accidental disability allowance; and generally relating to the Employees' Retirement System.

BY repealing and re-enacting, with amendments

~~Sections 5-1-203(11)(iv), 5-1-203(12)(iv), 5-1-203(12)(v), 5-1-217(b)(3), 5-1-219(b), and 5-1-226(3), and 5-1-230(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 § 5-1-203.

9 ~~(11) — (iv) — 1. This subparagraph applies to sworn members of the Police Department~~
10 ~~on Pay Schedules IV and VII.~~

11 ~~2. Beginning on July 1, 2016:~~

12 ~~A. The rate of contribution for a member on Pay Schedule VII~~
13 ~~who was appointed on or before June 30, 2012 and a member on pay Schedule IV shall be 8.65~~
14 ~~percent; and~~

15 ~~B. The rate of contribution for a member on Pay Schedule VII~~
16 ~~who was appointed on or after July 1, 2012 shall be 10.0 percent.~~

17 ~~3. Beginning on July 1, 2017, the rate of contribution for a member on~~
18 ~~Pay Schedule VII who was appointed on or before June 30, 2012 shall be 9.0 percent.~~

19 ~~4. Beginning on January 1, 2019, the rate of contribution for a member on~~
20 ~~Pay Schedule VII who was appointed on or before June 30, 2012 shall be 9.5 percent.~~

21 ~~5. BEGINNING JANUARY 1, 2025, THE RATE OF CONTRIBUTION~~
22 ~~FOR A MEMBER ON PAY SCHEDULE IV SHALL BE 9.55%.~~

23 ~~(12) — (iv) — 6. BEGINNING JANUARY 1, 2025:~~

1 A. ~~THE RATE OF CONTRIBUTION FOR A MEMBER ON~~
2 ~~PAY SCHEDULE IV HIRED BETWEEN JULY 1, 2007 AND JUNE 30, 2014 SHALL BE~~
3 ~~10.85 PERCENT.~~

4 B. ~~THE RATE OF CONTRIBUTION FOR A MEMBER ON~~
5 ~~PAY SCHEDULE IV HIRED ON OR AFTER JULY 1, 2014 SHALL BE 11.35%.~~

6 (12) (v) 1. This subparagraph applies to:

7 A. Correctional officers on Pay Schedule 1C; and

8 B. Deputy Sheriffs on Pay Schedule XIII.

9 2. Beginning on July 1, 2016:

10 A. The rate of contribution for a member who began service on or
11 before June 30, 2011 shall be 8.0 percent; and

12 B. The rate of contribution for a member who began service on or
13 after July 1, 2011 shall be 10 percent.

14 3. Beginning July 1, 2023, the rate of contribution for Correctional
15 Officers on Pay Schedule 1-C who began service on or after July 1, 2011 shall be 11 percent.

16 4. BEGINNING JULY 1, 2024, THE RATE OF CONTRIBUTION FOR
17 DEPUTY SHERIFFS ON PAY SCHEDULE XIII WHO BEGAN SERVICE ON OR AFTER
18 JULY 1, 2007 AND BEFORE JULY 1, 2011 SHALL BE 10.3%.

19 5. BEGINNING JULY 1, 2024, THE RATE OF CONTRIBUTION FOR
20 DEPUTY SHERIFFS ON PAY SCHEDULE XIII WHO BEGAN SERVICE ON OR AFTER
21 JULY 1, 2011 SHALL BE 12.3%.

22
23 ~~§ 5-1-217.~~

1 ~~(b) — (3) A member who retires on or after January 1, 1999 with less than twenty (20)~~
2 ~~years of creditable service shall be entitled to receive a service retirement allowance consisting~~
3 ~~of an annuity and a pension which together will provide a benefit of two (2) percent of the~~
4 ~~member's average final compensation for each year of creditable service provided such member~~
5 ~~shall:~~

6 ~~(i) If the member was in service before July 1, 2007, have attained the age~~
7 ~~of sixty (60) years and a minimum of five (5) years of creditable service; or~~

8 ~~(ii) If the member begins service on or after July 1, 2007, have attained~~
9 ~~the age of sixty (60) years and a minimum of ten (10) years of creditable service.~~

10 ~~(iii) BEGINNING JULY 1, 2024, IF THE MEMBER BEGAN SERVICE~~
11 ~~ON OR AFTER JULY 1, 2007, HAVE ATTAINED THE AGE OF FIFTY FIVE (55) AND A~~
12 ~~MINIMUM OF TEN (10) YEARS OF CREDITABLE SERVICE.~~

13
14 § 5-1-219.

15 (b) (1) Except as provided in [paragraph (2) of] this subsection, a member who
16 retires on or after July 1, 2000, shall be entitled to receive a service retirement allowance at the
17 time of retirement, consisting of an annuity and a pension which together will provide a
18 minimum benefit of fifty (50) percent of average final compensation plus two (2) percent for
19 each year of creditable service in excess of twenty (20) years, and for a member who retires on
20 or after July 1, 2020, plus three (3) percent for each year of creditable service in excess of
21 twenty-five (25) provided such member shall have reached a minimum of twenty (20) years
22 creditable service, as defined in subsection (c) of this section.

23 (2) BEGINNING JULY 1, 2024, A MEMBER ON PAY SCHEDULE XIII WHO

1 BEGAN SERVICE PRIOR TO JULY 1, 2007 AND WHO RETIRES WITH LESS THAN 20
2 YEARS OF CREDITABLE SERVICE SHALL BE ENTITLED TO RECEIVE A SERVICE
3 RETIREMENT ALLOWANCE, CONSISTING OF AN ANNUITY AND A PENSION WHICH
4 TOGETHER WILL PROVIDE A BENEFIT OF ONE FIFTY-FIFTH (1/55) OF THE
5 MEMBER'S AVERAGE FINAL COMPENSATION MULTIPLIED BY THE NUMBER OF
6 YEARS OF CREDITABLE SERVICE.

7 [(2)] (3) (i) This paragraph applies to members who begin service on or after
8 July 1, 2007.

9 (ii) A member is eligible for normal service retirement benefits upon the
10 completion of:

- 11 1. Twenty-five (25) years of creditable service regardless of age;
- 12 2. A minimum of sixty-two (62) years of age and ten (10) years of
13 creditable service.

14 (iii) A member who retires with twenty-five (25) years of creditable
15 service shall be entitled to receive a service retirement allowance consisting of an annuity and a
16 pension which together will provide a minimum benefit of fifty (50) percent of average final
17 compensation plus two (2) percent for each year of creditable service in excess of twenty (20)
18 and for a member who retires on or after July 1, 2020, plus three (3) percent for each year of
19 creditable service in excess of twenty-five (25).

20 (IV) BEGINNING JULY 1, 2024, A MEMBER ON PAY SCHEDULE
21 XIII WHO BEGAN SERVICE ON OR AFTER JULY 1, 2007 AND WHO RETIRES WITH
22 LESS THAN 25 YEARS OF CREDITABLE SERVICE SHALL BE ENTITLED TO RECEIVE
23 A SERVICE RETIREMENT ALLOWANCE, CONSISTING OF AN ANNUITY AND A

1 PENSION WHICH TOGETHER WILL PROVIDE A BENEFIT OF ONE FIFTY-FIFTH (1/55)
2 OF THE MEMBER'S AVERAGE FINAL COMPENSATION MULTIPLIED BY THE
3 NUMBER OF YEARS OF CREDITABLE SERVICE.

4
5 § 5-1-226.

6 (3) A member shall be eligible to receive an accidental disability allowance,
7 regardless of age, if the member has sustained an impairment as a direct result of the actual
8 performance of duties with the county and which has permanently incapacitated the member for
9 the further performance of the duties of the member's job classification but does not reach the
10 extent of incapacity as found in paragraphs (1) and (2) of this section. For pay schedules IV, V,
11 VII, and VIII, the accidental disability allowance under this section shall be an amount equal to
12 one-fortieth (1/40) of the member's average final compensation multiplied by the number of
13 years of creditable service not in excess of twenty (20) and one-fiftieth (1/50) of the member's
14 average final compensation multiplied by the number of years of creditable service in excess of
15 twenty (20). The minimum retirement allowance shall be equal to fifty (50) percent of the
16 member's average final compensation. The retirement allowance for a Group 3 member shall be
17 equal to fifty (50) percent of the member's average final compensation but not less than the
18 normal service retirement benefit that the member would have been entitled to on the date of
19 retirement. BEGINNING JULY 1, 2024, THE MINIMUM RETIREMENT ALLOWANCE
20 FOR A POLICE OFFICER ON PAY SCHEDULE IV SHALL BE EQUAL TO SIXTY-SIX
21 AND TWO-THIRDS (66 2/3) PERCENT OF THE MEMBER'S AVERAGE FINAL
22 COMPENSATION PLUS ONE-FIFTIETH (1/50) OF THE MEMBER'S AVERAGE FINAL
23 COMPENSATION MULTIPLIED BY THE NUMBER OF YEARS OF CREDITABLE

1 SERVICE IN EXCESS OF TWENTY-EIGHT AND FOUR MONTHS.

2
3 ~~§ 5-1-230.~~

4 ~~(b) — (1) This subsection applies to a member who begins service on or after July 1,~~
5 ~~2007.~~

6 ~~(2) — (i) Should a member cease to be an employee except by death or by~~
7 ~~retirement under the provisions of this subtitle, the member shall be paid the amount of the~~
8 ~~member's accumulated contributions.~~

9 ~~(ii) Anything in this subtitle to the contrary notwithstanding, any current~~
10 ~~member who has completed ten (10) or more years of creditable service at the time the member's~~
11 ~~service is terminated or any member who has completed at least one (1) four-year term as the~~
12 ~~County Executive may elect to receive, in lieu of the return of the member's accumulated~~
13 ~~contributions, a deferred retirement allowance to commence at the age of sixty-seven (67) if the~~
14 ~~member is a member in Group 3 [and] at the age of sixty (60) if the member is a member in~~
15 ~~Group 4, AND AT THE AGE OF FIFTY-FIVE (55) IF THE MEMBER IS IN GROUP 4 ON~~
16 ~~PAY SCHEDULE V AND THE MEMBER'S SERVICE WAS TERMINATED ON OR AFTER~~
17 ~~JULY 1, 2024, which shall consist of an annuity provided by the member's accumulated~~
18 ~~contributions with interest to attainment of said commencement age and a pension equal to the~~
19 ~~pension computed in accordance with § 5-1-214 of this subtitle on the basis of the member's~~
20 ~~creditable service and average final compensation at the date the member's service is terminated.~~

21
22 SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having been passed by
23 the affirmative vote of five members of the County Council, shall take effect on July 1, 2024.



LEGISLATION DETAIL

LEGISLATION _____

DISPOSITION _____

ENACTED _____

EFFECTIVE _____

AMENDMENTS _____

ROLL CALL - BILL

MOTION

AYE NAY

*ABSENT

SECOND

Councilman Young

Councilman Patoka

Councilman Kach

Councilman Jones

Councilman Marks

Councilman Ertel

Councilman Crandell

ROLL CALL - AMENDMENTS

MOTION

AYE NAY

*ABSENT

SECOND

Councilman Young

Councilman Patoka

Councilman Kach

Councilman Jones

Councilman Marks

Councilman Ertel

Councilman Crandell

ROLL CALL - AMENDMENTS

MOTION

AYE NAY

SECOND

Councilman Young

Councilman Patoka

Councilman Kach

Councilman Jones

Councilman Marks

Councilman Ertel

Councilman Crandell

ROLL CALL - AMENDMENTS

MOTION

AYE NAY

SECOND

Councilman Young

Councilman Patoka

Councilman Kach

Councilman Jones

Councilman Marks

Councilman Ertel

Councilman Crandell