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By: **Carroll County Delegation**

Introduced and read first time: February 13, 2003

Assigned to: Rules and Executive Nominations

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A BILL ENTITLED

1 AN ACT concerning

2 **Carroll County - Retirement and Pensions and Group Insurance**

3 FOR the purpose of authorizing the County Commissioners of Carroll County to  
4 establish and maintain a general system of pensions and retirement and group  
5 insurance for the officers and employees of Carroll County; and generally  
6 relating to the establishment and maintenance of a general system of pensions  
7 and retirement and group insurance for the officers and employees of Carroll  
8 County.

9 BY repealing and reenacting, with amendments,  
10 The Public Local Laws of Carroll County  
11 Section 3-801  
12 Article 22 - Public Local Laws of Maryland  
13 (2000 Edition and October 2002 Supplement, as amended)

14 BY repealing and reenacting, without amendments,  
15 Article 25 - County Commissioners  
16 Section 3(a)(1) and (g)  
17 Annotated Code of Maryland  
18 (2001 Replacement Volume and 2002 Supplement)

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

21 **Article 22 - Carroll County**

22 3-801.

23 (a) Carroll County may [offer to its employees a voluntary income deferment  
24 plan to allow its employees the tax benefits authorized by Section 403(e) of the  
25 Internal Revenue Code of 1954] ESTABLISH AND MAINTAIN A GENERAL SYSTEM OF  
26 PENSIONS AND RETIREMENT AND GROUP INSURANCE FOR THE BENEFIT AND  
27 ADVANTAGE OF ITS OFFICERS AND EMPLOYEES AS AUTHORIZED BY ARTICLE 25, §  
28 3(G) OF THE CODE.

1 (b) [Carroll County may, by contract, agree with any of its employees to defer,  
2 in whole or in part, each employee's compensation.

3 (c) With respect to any plan established under subsection (a) of this section  
4 Carroll County shall have the power[:

5 (1) to do such acts as may be necessary to implement, maintain, [and]  
6 administer [the], AND CARRY OUT THE PURPOSES OF ANY SUCH plan[;

7 (2) to receive the amount of compensation deferred under the plan and to  
8 use the proceeds, in accordance with any investment election permitted the employee  
9 under the plan, to purchase a fixed or variable life insurance or annuity contract, or  
10 other investment or savings options as may be permitted under the plan, all to be held  
11 by the superintending board, official, or entity. Life insurance and annuity contracts  
12 shall be purchased from insurance companies licensed to write insurance in  
13 Maryland; and

14 (3) to take other and further actions as may be necessary to carry out the  
15 purposes of the plan].

16 [(d)] (C) [The] EXCEPT AS PROVIDED IN ARTICLE 95, § 22(B) OF THE CODE,  
17 THE provisions of Article 95 of the [Annotated] Code and any other law limiting the  
18 types of investments which may be made of county funds or limiting or placing  
19 conditions upon the deposit of county funds are not applicable to the deposit and  
20 investment of moneys deferred pursuant to [the] ANY plan UNDER THIS SECTION, to  
21 the end that such moneys may be deposited and invested in accordance with the  
22 investment elections permitted under the plan.

23

#### Article 25 - County Commissioners

24 3.

25 (a) (1) The county commissioners of each county in this State, in addition to,  
26 but not in substitution of, the powers which have been or may be granted them, have  
27 the following express powers.

28 (g) To establish and maintain a general system of pensions and retirement  
29 and group insurance for the benefit and advantage of its officers and employees, with  
30 necessary classifications and terms of admissions. This subsection shall be applicable  
31 in Kent County and Dorchester County and the County Commissioners shall have the  
32 powers provided herein. In Charles and Kent counties the County Commissioners  
33 also shall have the authority to make special provisions for retirement funds for  
34 employees who reach retirement age prior to the origination of a retirement system.  
35 In Dorchester County the County Commissioners may include the employees of the  
36 Dorchester County liquor control board and the Dorchester County Sheriff's  
37 department in any pensions, retirement or group insurance program established and  
38 maintained by the county. In Kent County the County Commissioners may include  
39 any official or employee of the Kent County Sheriff's department in any pension,  
40 retirement or group insurance program established and maintained by Kent County.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2 July 1, 2003.