

HOUSE BILL 477

L2

9lr1531

By: **Frederick County Delegation**

Introduced and read first time: February 4, 2009

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Frederick County - County Commissioners - Retirement Benefits**

3 FOR the purpose of authorizing the Board of County Commissioners of Frederick
4 County to establish that each member may receive certain retirement benefits
5 or to establish within the county retirement program certain criteria and
6 benefits applying only to County Commissioners under certain circumstances;
7 placing certain restrictions on a criterion or benefit established under this Act;
8 providing that this Act does not apply to the salaries or compensation of the
9 incumbent County Commissioners; and generally relating to the retirement
10 benefits of the members of the Board of County Commissioners of Frederick
11 County.

12 BY repealing and reenacting, with amendments,
13 The Public Local Laws of Frederick County
14 Section 2-2-18(b)
15 Article 11 - Public Local Laws of Maryland
16 (2004 Edition and September 2008 Supplement)

17 BY adding to
18 The Public Local Laws of Frederick County
19 Section 2-2-18(c)
20 Article 11 - Public Local Laws of Maryland
21 (2004 Edition and September 2008 Supplement)

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

24 **Article 11 - Frederick County**

25 2-2-18.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) [Each] **EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION,**
2 **EACH** member is entitled to those fringe benefits regularly provided to county
3 employees.

4 (c) (1) **THE BOARD OF COUNTY COMMISSIONERS MAY:**

5 (I) **ESTABLISH THAT EACH MEMBER MAY RECEIVE**
6 **BENEFITS PROVIDED IN THE COUNTY RETIREMENT PROGRAM; OR**

7 (II) **IF THE ACTION SPECIFIED IN ITEM (I) OF THIS**
8 **PARAGRAPH IS NOT TAKEN, ESTABLISH SPECIFIC CRITERIA AND BENEFITS THAT**
9 **APPLY ONLY TO THE COUNTY COMMISSIONERS.**

10 (2) **A CRITERION OR BENEFIT ESTABLISHED UNDER PARAGRAPH**
11 **(1)(II) OF THIS SUBSECTION MAY NOT:**

12 (I) **EXCEED A SIMILAR CRITERION OR BENEFIT PROVIDED**
13 **BY STATE LAW FOR GENERAL ASSEMBLY MEMBERS; AND**

14 (II) **INCREASE THE COMPENSATION OF THE COUNTY**
15 **COMMISSIONER DURING THE TERM OF OFFICE OF THE COUNTY**
16 **COMMISSIONERS IN OFFICE WHEN THE CRITERION OR BENEFIT IS**
17 **ESTABLISHED OR MODIFIED.**

18 SECTION 2. AND BE IT FURTHER ENACTED, That, pursuant to Article III, §
19 35 of the Maryland Constitution, this Act may not be construed to extend or apply to
20 the salary or compensation of the County Commissioners of Frederick County in office
21 on the effective date of this Act, but the provisions of this Act concerning the salary or
22 compensation of the County Commissioners of Frederick County shall take effect at
23 the beginning of the next following term of office.

24 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 June 1, 2009.