

CHAPTER 397

(House Bill 477)

AN ACT concerning

Frederick County – County Commissioners – Retirement Benefits

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

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

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

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

Article 11 – Frederick County

2–2–18.

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

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

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

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

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

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

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

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

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

Approved by the Governor, May 7, 2009.