

FINAL

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2020, Legislative Day No. 24

Bill No. 54-20

Introduced by Ms. Pickard, Chair
(by request of the County Executive)

By the County Council, July 6, 2020

Introduced and first read on July 6, 2020
Public Hearing set for and held on September 8, 2020
Bill Expires October 9, 2020

By Order: JoAnne Gray, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Pension – Deferred Retirement Option Program –
2 Detention Officers’ and Deputy Sheriffs’ Retirement Plan – Employees’ Retirement
3 Plan – Eligibility – Participants
4

5 FOR the purpose of modifying participants in the Detention Officers’ and Deputy Sheriffs’
6 Retirement Plan eligible to participate in the deferred retirement option plan (“DROP”);
7 modifying the number of certain employees who can begin to participate in the plan in
8 any month; providing that a Superintendent of Detention Facilities in the position
9 before a certain date may participate in the Detention Officers’ and Deputy Sheriffs’
10 Retirement Plan; modifying the job classifications eligible to participate in the
11 Detention Officers’ and Deputy Sheriffs’ Retirement Plan; providing for participation
12 in the Detention Officers’ and Deputy Sheriffs’ Retirement Plan of employees in
13 certain classifications promoted after a certain date; and generally relating to pensions.
14

15 BY repealing and reenacting, with amendments: §§ 5-1-503(c); 5-1-505(a); 5-3-
16 103(a)(2)(iii); and 5-6-102
17 Anne Arundel County Code (2005, as amended)
18

19 BY repealing, reenacting, and renumbering, with amendments: § 5-1-505(e) to be § 5-1-
20 505(f)
21 Anne Arundel County Code (2005, as amended)
22

23 BY renumbering: § 5-1-505(d) to be § 5-1-505(e)
24 Anne Arundel County Code (2005, as amended)

EXPLANATION: CAPITALS indicate new matter added to existing law.
[[Brackets]] indicate matter deleted from existing law.
Captions and taglines in **bold** in this bill are catchwords and are not law.

1 BY adding: §§ 5-1-505(d)
2 Anne Arundel County Code (2005, as amended)

3
4 SECTION 1. *And be it further enacted*, That § 5-1-505(d) and (e), respectively, of the
5 Anne Arundel County Code (2005, as amended) are hereby renumbered to be § 5-1-505(e)
6 and (f), respectively.

7
8 SECTION 2. *Be it enacted by the County Council of Anne Arundel County, Maryland*,
9 That Section(s) of the Anne Arundel County Code (2005, as amended) read as follows:

10
11 **ARTICLE 5. PENSIONS**

12
13 **TITLE 1. GENERAL PROVISIONS**

14
15 **5-1-503. Eligibility.**

16
17 (c) **Detention Officers' and Deputy Sheriffs' Retirement Plan.** A [[category I]]
18 participant in the Detention Officers' and Deputy Sheriffs' Retirement Plan[[, a
19 Correctional Facility Administrator, an Assistant Correctional Facility Administrator, and
20 a Superintendent of Detention Facilities who has elected to participate in the Detention
21 Officers' and Deputy Sheriffs' Retirement Plan]] is eligible to participate in the DROP if
22 the participant is actively employed by the County in a position covered by the Detention
23 Officers' and Deputy Sheriffs' Retirement Plan and has completed 20 years of actual plan
24 service.

25
26 **5-1-505. Limitation on the number of participants.**

27
28 (a) **Generally.** Except as provided in subsections (b), [[and]] (c), AND (D), the number
29 of employees who may begin participating in the DROP in a plan shall be limited to four
30 new employees participating in each DROP plan as of the first day of any month.

31
32 (D) **Correctional Program Specialists and Criminal Justice Program Specialists.**
33 IN ADDITION TO THE EMPLOYEES DESCRIBED IN SUBSECTION (A), A COMBINED TOTAL OF
34 TWO NEW EMPLOYEES IN THE CLASSIFICATIONS OF CORRECTIONAL PROGRAM
35 SPECIALIST AND CRIMINAL JUSTICE PROGRAM SUPERVISOR MAY BEGIN PARTICIPATING
36 IN THE DROP AS OF THE FIRST DAY OF ANY MONTH.

37
38 [[(e)] (F) **Waiting list.** Applicants on the waiting list described in subsection [[(d)] (E)
39 have the right of "first refusal" for DROP participation in subsequent months in the order
40 of their seniority, provided:

41
42 (1) applicants who refuse participation if offered in subsequent months shall be
43 removed from the waiting list and must reapply in order to participate in the DROP; and

44
45 (2) in subsequent months, applicants not on the waiting list shall be selected ahead
46 of applicants on the waiting list who have less seniority.

TITLE 3. EMPLOYEES' RETIREMENT PLAN

5-3-103. Participants.

(a) **Generally.** The participants in the plan are the following permanent full-time and permanent part-time employees who work at least 50% of the amount of time specified for the position:

(2) appointed officials and elected officials, except for:

(iii) a Superintendent of Detention Facilities EMPLOYED BY THE COUNTY BEFORE THE EFFECTIVE DATE OF BILL NO. 54-20, who elects to be a participant in the Detention Officers' and Deputy Sheriffs' Retirement Plan;

TITLE 6. DETENTION OFFICERS' AND DEPUTY SHERIFFS' RETIREMENT PLAN

5-6-102. Participants.

(a) **Permanent employees.** The participants in the plan are permanent employees who:

(1) work at least 50% of the time specified for their positions; and

(2) (I) are IN JOB CLASSIFICATIONS [[described as either]] IN category I [[or category II participants]] AS DESIGNATED in this section[.]; OR

(II) ARE IN JOB CLASSIFICATIONS IN CATEGORY II AS DESIGNATED IN THIS SECTION BEFORE THE EFFECTIVE DATE OF BILL NO. 54-20.

(b) **Category I participants.** The following participants are category I participants:

(1) Detention Officer;

(2) Detention Corporal;

(3) Detention Sergeant;

(4) Detention Lieutenant;

(5) Detention Captain;

(6) DEPUTY SHERIFF CORPORAL;

[[6]] (7) Deputy Sheriff I;

[[7]] (8) Deputy Sheriff II;

[[8]] (9) Deputy Sheriff III; and

[[9]] (10) Deputy Sheriff IV.

1 (c) **Category II participants.** The following participants are category II participants:
2

3 (1) Correctional Program Specialist I;
4

5 (2) Correctional Program Specialist II;
6

7 (3) Criminal Justice Program Supervisor;
8

9 (4) Correctional Facility Administrator;
10

11 (5) Assistant Correctional Facility Administrator; and
12

13 (6) by election, the Superintendent of Detention Facilities.
14

15 (D) **Promotions and transfers after the effective date of Bill No. 54-20.** AN
16 EMPLOYEE IN A JOB CLASSIFICATION LISTED IN SUBSECTION (C) AS OF THE EFFECTIVE
17 DATE OF BILL NO. 54-20 MAY CONTINUE TO PARTICIPATE IN THE PLAN IF THE EMPLOYEE
18 IS PROMOTED OR OTHERWISE TRANSFERRED DIRECTLY TO A JOB CLASSIFICATION LISTED
19 IN SUBSECTION (C) AFTER THE EFFECTIVE DATE OF BILL NO. 54-20.
20

21 SECTION 3. *And be it further enacted*, That all references in this Ordinance to “the
22 effective date of Bill No. 54-20” or words to that effect, shall, upon codification, be
23 replaced with the actual date on which this Ordinance takes effect under Section 307 of the
24 County Charter as certified by the Administrative Officer to the County Council.
25

26 SECTION 4. *And be it further enacted*, That this Ordinance shall take effect 45 days
27 from the date it becomes law.

READ AND PASSED this 8th day of September, 2020

By Order:



JoAnne Gray
Administrative Officer

PRESENTED to the County Executive for his approval this 9th day of September, 2020



JoAnne Gray
Administrative Officer

APPROVED AND ENACTED this 14th day of September, 2020



Steuart Pittman
County Executive

EFFECTIVE DATE: October 29, 2020

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF
BILL NO. 54-20. THE ORIGINAL OF WHICH IS RETAINED IN THE
FILES OF THE COUNTY COUNCIL.



JoAnne Gray
Administrative Officer