

Expedited Bill No. 21-23
Concerning: Fire and Rescue Services –
Credited Service for Group G Members
Revised: 04/05/2023 Draft No. 1
Introduced: April 11, 2023
Enacted: July 25, 2023
Executive: August 7, 2023
Effective: August 7, 2023
Sunset Date: _____
Ch. 26, Laws of Mont. Co. 2023

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the Request of the County Executive

AN EXPEDITED ACT to:

- (1) amend the Optional Retirement Plan and Integrated Retirement Plan pension multipliers in Group G of the Employees' Retirement System;
- (2) amend the Group G Optional Retirement Plan to provide the same level of sick leave credit benefits provided for County employees in the Group G Integrated Retirement Plan;
- (3) amend the Group G pension Cost of Living Adjustment; and
- (4) generally amend the law regarding retirement plans for Group G members.

By amending

Montgomery County Code
Chapter 33, Personnel and Human Resources
Sections 33-42 and 33-44

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

1 **Sec. 1. Sections 33-42 and 33-44 are amended as follows:**

2 **33-42. Amount of pension at normal retirement date or early retirement date.**

3 * * *

4 (b) *Amount of pension at normal retirement date.*

5 (1) Pension amount for an Optional Retirement Plan member.

6 * * *

7 (D) For a Group G member who is a member of the optional
8 plan and retires on a normal retirement, the annual pension
9 must equal:

10 (i) [2 ½] 2.6 percent of average final earnings for each
11 of the first [20] 25 years of credited service
12 completed; and

13 (ii) [2] 1.25 percent of average final earnings for each
14 year or prorated portion of a year of credited service
15 of more than [20] 25 years, to a maximum of 31
16 years, plus sick leave credits[.]; and

17 (iii) 5 percent for each year of credited service received
18 for accumulated sick leave; and

19 (iv) 0 percent for years after year 31 (except sick leave
20 credits referred to in subclause (c)).

21 (2) Pension amount for an Integrated Retirement Plan member.

22 * * *

23 (E) The County must compute the annual pension of a Group G
24 member in the integrated retirement plan who retires on a
25 normal retirement as follows:

26 (i) from the date of retirement to the month that the
27 member reaches Social Security Retirement age, the

28 following percentages of average final earnings
 29 apply:

30 (a) [~~2 ½~~] 2.6 percent, for each of the first [~~20~~] 25
 31 years of credited service; and

32 (b) [~~2~~] 1.25 percent, for each year of credited
 33 service of more than [~~20~~] 25 years to a
 34 maximum of 31 years, plus sick leave credits;
 35 and;

36 (c) 5 percent for each year of credited service
 37 received for accumulated sick leave; and

38 (d) 0 percent for years after year 31 (except sick
 39 leave credits referred to in subclause (c)); and

40 (ii) from the month the member reaches Social Security
 41 retirement age, the percentages specified in clause (i)
 42 must be reduced, respectively, by the following
 43 percentages of average final earnings for the portion
 44 of any amount equal to or less than the Social
 45 Security maximum covered compensation in effect
 46 on the date of retirement:

47 (a) [~~0.78125~~] 0.81250 percent, for each of the first
 48 [~~20~~] 25 years of credited service;

49 (b) [~~0.625~~] 0.390625 percent for each year of
 50 credited service of more than [~~20~~] 25 years, to
 51 a maximum of 31 years, plus sick leave
 52 credits; and

53 (c) 1.5625 percent, for each year of credited
 54 service received for accumulated sick leave.

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33-44. Pension payment options and cost-of-living adjustments.

* * *

(c) *Cost-of-living adjustment.* A retired member or beneficiary, including the surviving spouse or domestic partner of a group D member or other beneficiary who survives the member under a pension option or who is otherwise eligible to receive benefits, must receive an annual cost-of-living adjustment in pension benefits.

* * *

(3) The percentage cost-of-living adjustment of pension benefits must be obtained by dividing the most recent index determined under paragraph (2) by the next preceding index multiplied by 100 less 100.

* * *

(B) A member enrolled on or after July 1, 1978, must receive 100 percent of the change in the consumer price index up to 3 percent, and 60 percent of any change in the consumer price index greater than 3 percent, up to a total adjustment of 7 ½ percent in any year. The 7 ½ percent annual limit does not apply to:

- (i) a retired member who is disabled; or
- (ii) a pensioner aged 65 or older for a fiscal year beginning after the date the pensioner reaches age 65.

(C) A Group G member enrolled on or after July 1, 1978, must receive 100 percent of the change in the consumer price index up to 3 percent, and 60 percent of any change in the consumer price index greater than 3 percent, up to a total

82 adjustment of 5 percent in any year. The 5 percent annual
83 limit does not apply to:

84 (i) a retired Group G member who is disabled; or

85 (ii) a Group G pensioner aged 65 or older for a fiscal year
86 beginning after the date the pensioner reaches age 65.

87 * * *


88 (6) Notwithstanding the provisions of this Section, for members other
89 than Group G members that qualify under subsection (3)(C), the
90 cost-of-living adjustment must not exceed 2.5 percent for:

91 (A) credited service beginning on the first pay period after June
92 30, 2011; or

93 (B) a disability retirement pension based on a disability
94 occurring after June 30, 2011.

95 **Sec. 2. Effective date.** The Council declares that this legislation is necessary
96 for the immediate protection of the public interest. This Act takes effect on the date
97 on which it becomes law.

Approved:


Evan Glass, President, County Council July 25, 2023
Date

Approved:


Marc Elrich, County Executive August 7, 2023
Date

This is a correct copy of Council action.


Sara R. Tenenbaum, Clerk of the Council August 7, 2023
Date