

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2024, Legislative Day No. 20

Bill No. 90-24

Councilmembers Patoka, Crandell, & Marks
By Request of County Executive

By the County Council, November 4, 2024

A BILL
ENTITLED

AN ACT concerning

The Employees' Retirement System

FOR the purpose of implementing retirement benefit changes for Police personnel on Pay Schedule VII; achieving consistency with State Law by clarifying the Employees' Retirement System's definition of "military service" and adding a provision related to members of the Maryland National Guard or a reserve component of the Armed Forces; expanding the definition of military service regarding service in the National Guard to include service in any National Guard in the U.S., not just the Maryland National Guard, with regards to crediting years of military service for a County pension; and generally relating to the Employees' Retirement System.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter stricken from existing law.
~~Strike-out~~ indicates matter stricken from bill.
Underlining indicates amendments to bill.

BY repealing and re-enacting, with amendments

Sections 5-1-201(q), 5-1-206(b), and 5-1-303(c)
Article 5 – Pensions and Retirement
Title 1 – Employees Retirement System
Baltimore County Code, 2015

BY adding

Sections 5-1-203(11)(iv)5. and (12)(iv)6.,
Article 5 – Pensions and Retirement
Title 1 – Employees Retirement System
Subtitle 2 – Retirement System
Baltimore County Code, 2015

SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
COUNTY, MARYLAND, that the Laws of Baltimore County read as follows:

ARTICLE 5 – PENSIONS AND RETIREMENT

Title 1 – Employees Retirement System

Subtitle 2 – Retirement System

§ 5-1-201. Definitions.

(q) “Military service” means:

(1) Induction into the Armed Forces of the United States for training and service
under the [Selection] SELECTIVE Training and Service Act of 1940 or a subsequent act of a
similar nature;

(2) Membership in a reserve component of the Armed Forces of the United
States; ;

~~(i) On active duty or ordered or assigned to active duty; or~~

1 ~~(ii) On active duty for training that interrupts a member's service;~~

2 (3) Enlistment into the Armed Forces of the United States; [or]

3 (4) Membership in the Maryland National Guard[.] ; OR

4 [(i) Membership in the Maryland National Guard means active duty
5 military service time served as a Maryland National Guard member.

6 (ii) Active duty, for purposes of membership in the Maryland National
7 Guard, shall be as determined and reported on the DD214 Form or other similar form that shows
8 the active duty military service time for the Maryland National Guard member.]

9 (5) ACTIVE DUTY WITH THE COMMISSIONED CORPS OF THE PUBLIC
10 HEALTH SERVICE, THE NATIONAL OCEANIC AND ATMOSPHERIC
11 ADMINISTRATION, OR THE COAST AND GEODETIC SURVEY.

12
13 § 5-1-203. Membership – Composition.

14 The membership of the Retirement System shall consist of the following:

15 (11) (iv) 5. BEGINNING JANUARY 1, 2025:

16 A. THE RATE OF CONTRIBUTION FOR A MEMBER
17 ON PAY SCHEDULE VII APPOINTED BETWEEN JULY 1, 2007 AND JUNE 30, 2012
18 SHALL BE 9.57%.

19 B. THE RATE OF CONTRIBUTION FOR A MEMBER
20 ON PAY SCHEDULE VII APPOINTED ON OR AFTER JULY 1, 2012 SHALL BE 10.07%.

21 (12) (iv) 6. BEGINNING JANUARY 1, 2025:

22 A. THE RATE OF CONTRIBUTION FOR A MEMBER
23 ON PAY SCHEDULE VII APPOINTED BETWEEN JULY 1, 2007 AND JUNE 30, 2012
24 SHALL BE 10.87%.

1 B. THE RATE OF CONTRIBUTION FOR A MEMBER
2 ON PAY SCHEDULE VII APPOINTED ON OR AFTER JULY 1, 2012 SHALL BE 11.37%.

3
4 § 5-1-206. Same – Member Entering Armed Services; Military Service Credit.

5 (b) (1) Notwithstanding any other provision of this section, credit for military service
6 shall be for {active duty} SERVICE incurred prior to County employment and shall be granted to
7 any member upon the attainment by that member of five (5) years of creditable service for a
8 member who began service on or before June 30, 2007 or ten (10) years of creditable service for
9 a member who began service on or after July 1, 2007, provided that the service credit so granted
10 shall not exceed four (4) years. No such service credit shall be granted to a member if the
11 member has received credit for a period of military service under any other retirement system for
12 which retirement benefits have been or will be received by the member; provided that this
13 exclusion shall not apply to any credit provided through old-age or survivors insurance benefits
14 under the Social Security Law, military retired pay benefits or the Railroad Retirement Act. The
15 county shall make all necessary contributions to the pension accumulation fund for the funding
16 of military service credit upon the attainment of five (5) or ten (10) years, as applicable, of
17 creditable service by any member so entitled to the credit.

18 (2) A MEMBER OF THE ~~MARYLAND~~ NATIONAL GUARD OR OF A
19 RESERVE COMPONENT OF THE ARMED FORCES OF THE UNITED STATES SHALL
20 RECEIVE SERVICE CREDIT WITH THE ~~MARYLAND~~ NATIONAL GUARD OR WITH A
21 RESERVE COMPONENT OF THE ARMED FORCES OF THE UNITED STATES FOR
22 SERVICE INCURRED PRIOR TO COUNTY EMPLOYMENT, NOT TO EXCEED A TOTAL
23 OF 44 MONTHS.

1
2 Subtitle 3 – Deferred Retirement Option Program
3

4 § 5-1-303. Deferred Retirement Option Program – Police.

5 (c) Subject to the time limitations in subsection (d) of this section, a member may select
6 from the following DROP periods:

7 (1) 3 years if the member has 27 years of qualifying service;

8 (2) 3, 3 ½, or 4 years if the member has 28 years or more of qualifying service;

9 [or]

10 (3) 3, 3 ½, 4, 4 ½, or 5 years if the member has 29 years or more of qualifying
11 service[.] ; OR

12 (4) IF A MEMBER ON PAY SCHEDULE VII DIES WHILE ELIGIBLE FOR
13 THE DROP, THE MEMBER’S SPOUSE MAY:

14 (I) RECEIVE THE DROP BENEFITS AS PROVIDED IN THIS
15 SECTION; OR

16 (II) ELECT AN ALLOWANCE FOR SERVICE RETIREMENT
17 BENEFIT PROVIDED UNDER § 5-1-216 OF THE CODE.

18
19 SECTION 2. AND BE IT FURTHER ENACTED, that this Act shall take effect 45 days
20 after its enactment.



LEGISLATION DETAIL

LEGISLATION

DISPOSITION

ENACTED

EFFECTIVE

AMENDMENTS

ROLL CALL - BILL

MOTION

SECOND

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NAY

☐☐

Councilman Young

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Councilman Patoka

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Councilman Kach

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Councilman Jones

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Councilman Marks

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Councilman Ertel

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Councilman Crandell

ROLL CALL - AMENDMENTS

MOTION

SECOND

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Councilman Young

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Councilman Patoka

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Councilman Kach

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Councilman Jones

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Councilman Marks

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Councilman Ertel

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Councilman Crandell

ROLL CALL - AMENDMENTS

MOTION

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Councilman Young

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Councilman Patoka

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Councilman Kach

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Councilman Jones

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Councilman Crandell

ROLL CALL - AMENDMENTS

MOTION

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Councilman Young

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Councilman Patoka

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Councilman Kach

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Councilman Jones

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Councilman Marks

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Councilman Ertel

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Councilman Crandell