

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2025, Legislative Day No. 9

Bill No. 33-25

Mr. Michael Ertel, Chairman
By Request of County Executive
&
Councilmembers Crandell & Jones

By the County Council, May 5, 2025

A BILL
ENTITLED

AN ACT concerning

The Employees' Retirement System

FOR the purpose of implementing retirement benefit changes for Emergency Communication personnel on Pay Schedules I-E, VI-P and XII; enacting retirement benefit changes for Police personnel on Pay Schedule IV; adding the position of Correctional Colonel to § 5-1-218 of the County Code; effectuating various technical corrections; and generally relating to the Employees' Retirement System.

BY repealing and re-enacting, with amendments

Sections 5-1-203(8), 5-1-212(b)(2), 5-1-213(b), 5-1-218(a), and 5-1-227(b)
Article 5 – Pensions and Retirement
Title 1 – Employees' Retirement System
Subtitle 2 – 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.

Baltimore County Code, 2015

BY adding

Sections 5-1-203(11)(iv)6, 7 & 8, (11)(viii)1 & 2, (12)(iv)7(a - d), and (12)(viii)1 & 2, 5-1-215(a)(3), and 5-1-218.1

Article 5 – Pensions and Retirement

Title 1 – Employees’ Retirement System

Subtitle 2 – Retirement System

Baltimore County Code, 2015

BY repealing and re-enacting, with amendments

Sections 5-1-303, 5-1-305(c), and 5-1-308(c)

Article 5 – Pensions and Retirement

Title 1 – Employees’ Retirement System

Subtitle 3 – Deferred Retirement Option Program

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

§ 5-1-203. Membership – Composition.

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

(8) (i) In this paragraph, “break in service” means a period of separation from employment with the employer, which separation occurs either by termination of the employee or resignation of the employee.

(ii) This section does not apply to an employee who has a break in service

1 if the employee:

2 1. Failed to join the retirement system under paragraph (6) of this
3 section but is reemployed under paragraph (1) or paragraph (7) of this section;

4 2. Failed to join the retirement system under paragraph (7) of this
5 section but is reemployed under paragraph (1) of this section; or

6 3. Failed to join the retirement system under one special
7 employment category in paragraph (7) of this section but is reemployed into a different special
8 employment category under paragraph (7) of this section.

9 (iii) An employee who has failed to join the retirement system within two
10 (2) years or 60 days of employment, as applicable, as provided in paragraph (6) or paragraph (7)
11 of this section may not join the retirement system unless the employee has had a break in service
12 of not less than one hundred eighty (180) days from the immediately prior period of employment
13 with the employer.

14 [(ii) Notwithstanding any other provision of this subtitle, membership
15 benefits shall be considered vested after the member has completed a minimum of ten (10) years
16 of membership service.]

17 (11) (iv) 6. BEGINNING JULY 1, 2025: THE RATE OF
18 CONTRIBUTION FOR A MEMBER ON PAY SCHEDULE IV SHALL BE 9.55%.

19 7. BEGINNING JULY 1, 2026: THE RATE OF
20 CONTRIBUTION FOR A MEMBER ON PAY SCHEDULE IV SHALL BE 9.57%.

21 (VIII) 1. THIS SUBPARAGRAPH APPLIES TO EMERGENCY
22 COMMUNICATION MEMBERS ON PAY SCHEDULE I-E, EMERGENCY
23 COMMUNICATION MANAGERS ON PAY SCHEDULE VI-P, AND THE CHIEF AND

1 ASSISTANT CHIEF OF THE EMERGENCY COMMUNICATIONS CENTER ON PAY
2 SCHEDULE XII.

3 2. BEGINNING ON JULY 1, 2025, THE RATE OF
4 CONTRIBUTION SHALL BE 11.34%.

5 (12) (iv) 7. BEGINNING JULY 1, 2025:

6 A. THE RATE OF CONTRIBUTION FOR A MEMBER
7 HIRED BETWEEN JULY 1, 2007 AND JUNE 30, 2014 ON PAY SCHEDULE IV SHALL BE
8 10.85%.

9 B. THE RATE OF CONTRIBUTION FOR A MEMBER
10 HIRED ON OR AFTER JULY 1, 2014 ON PAY SCHEDULE IV SHALL BE 11.35%.

11 8. BEGINNING JULY 1, 2026:

12 A. THE RATE OF CONTRIBUTION FOR A MEMBER
13 HIRED BETWEEN JULY 1, 2007 AND JUNE 30, 2014 ON PAY SCHEDULE IV SHALL BE
14 10.87%.

15 B. THE RATE OF CONTRIBUTION FOR A MEMBER
16 HIRED ON OR AFTER JULY 1, 2014 ON PAY SCHEDULE IV SHALL BE 11.37%.

17 (12) (VIII) 1. THIS SUBPARAGRAPH APPLIES TO EMERGENCY
18 COMMUNICATION MEMBERS ON PAY SCHEDULE I-E, EMERGENCY
19 COMMUNICATION MANAGERS ON PAY SCHEDULE VI-P, AND THE CHIEF AND
20 ASSISTANT CHIEF OF THE EMERGENCY COMMUNICATIONS CENTER ON PAY
21 SCHEDULE XII.

22 2. BEGINNING ON JULY 1, 2025, THE RATE OF
23 CONTRIBUTION SHALL BE 11.34%.

§ 5-1-212. Same – Amount.

(b) (1) Except as provided in paragraph (2) of this subsection, upon verification to the Board of Trustees, a member at the time of retirement shall receive membership service for unused sick leave in accordance with the formula that twenty-two (22) days of unused sick leave are equal to one (1) month of membership service. One (1) additional month of membership service shall be granted if fractional days totaling eleven (11) or more result from the application of this formula.

(2) Upon verification to the Board of Trustees, an employee of the Fire Department who is a member, beginning January 1, 2015, an employee of the Police Department on pay schedule VII who is a member, [and] beginning on June 30, 2018, an employee on pay schedule I-E, AND BEGINNING ON JULY 1, 2025, EMERGENCY COMMUNICATIONS MANAGERS ON PAY SCHEDULE VI-P AND THE EMERGENCY COMMUNICATIONS CHIEF AND ASSISTANT CHIEF ON PAY SCHEDULE XII, at the time of retirement shall receive membership service for unused sick leave in accordance with the formula that sixteen (16) days of unused sick leave are equal to one (1) month of membership service. One (1) additional month of membership service shall be granted if fractional days totaling eight (8) or more result from the application of this formula.

§ 5-1-213. Normal Retirement Age; Retirement for Service – Generally.

(b) (1) This subsection applies to Group 3 members who begin service on or after July 1, 2007.

(2) A Group 3 member is eligible for normal service retirement after thirty-five

1 (35) years of creditable service or at age sixty-seven (67) and completion of ten (10) years of
2 creditable service.

3 (3) BEGINNING JULY 1, 2026, EMERGENCY COMMUNICATIONS
4 MEMBERS ON PAY SCHEDULE I-E, EMERGENCY COMMUNICATIONS MANAGERS
5 ON PAY SCHEDULE VI-P AND THE EMERGENCY COMMUNICATIONS CHIEF AND
6 ASSISTANT CHIEF ON PAY SCHEDULE XII ARE ELIGIBLE FOR NORMAL SERVICE
7 RETIREMENT AFTER THIRTY (30) YEARS OF CREDITABLE SERVICE OR AT AGE
8 SIXTY-SEVEN (67) AND COMPLETION OF TEN (10) YEARS OF CREDITABLE
9 SERVICE.

10
11 § 5-1-215. Average Final Compensation.

12 (a) (3) BEGINNING JULY 1, 2026, MEMBERS HIRED ON OR AFTER JULY 1,
13 2007 ON PAY SCHEDULE I-E, EMERGENCY COMMUNICATIONS MANAGERS ON
14 PAY SCHEDULE VI-P, AND THE EMERGENCY COMMUNICATIONS CHIEF AND
15 ASSISTANT CHIEF ON PAY SCHEDULE XII SHALL HAVE THEIR AVERAGE FINAL
16 COMPENSATION BASED ON THE TWELVE (12) CONSECUTIVE CALENDAR MONTHS
17 AFFORDING THE HIGHEST AVERAGE.

18
19 § 5-1-218. Same – Correctional Officers.

20 (a) For purposes of this section, the term “member” means a Group 3 member who is
21 classified in the County Classification and Compensation Plan as a Correctional Officer,
22 Correctional Dietary Officer, Correctional Corporal, Correctional Sergeant, Correctional Dietary
23 Sergeant, Correctional Lieutenant, Correctional Dietary Captain, Correctional Captain,

1 Correctional Classification Officer, Correctional Classification Officer Supervisor, [or]
2 Correctional Major, OR CORRECTIONAL COLONEL.

3
4 § 5-1-218.1. SAME – EMERGENCY COMMUNICATION MEMBERS.

5 (A) FOR PURPOSES OF THIS SECTION, THE TERM “MEMBER” MEANS A
6 GROUP 3 MEMBER WHO IS CLASSIFIED IN THE COUNTY CLASSIFICATION AND
7 COMPENSATION PLAN AS AN EMERGENCY TECHNICIAN, EMERGENCY
8 COMMUNICATIONS ASSISTANT SUPERVISOR, EMERGENCY COMMUNICATIONS
9 SUPERVISOR, EMERGING COMMUNICATIONS MANAGER, EMERGENCY
10 COMMUNICATIONS ASSISTANT CHIEF, OR EMERGENCY COMMUNICATIONS
11 CHIEF.

12 (B) A MEMBER DEFINED IN SUBSECTION (A) OF THIS SECTION WHO
13 RETIRES ON OR AFTER JULY 1, 2026, SHALL BE ENTITLED TO RECEIVE A SERVICE
14 RETIREMENT ALLOWANCE CONSISTING OF AN ANNUITY AND A PENSION
15 TOGETHER WHICH WILL PROVIDE AN AVERAGE FINAL COMPENSATION BASED
16 ON TWO (2) PERCENT FOR EACH YEAR OF CREDITABLE SERVICE THAT THE
17 MEMBER WORKED IN A POSITION PROVIDED IN SUBSECTION (A) OF THIS
18 SECTION.

19 1. A MEMBER WHO TRANSFERS TIME FROM THE COUNTY OR
20 ANOTHER MARYLAND JURISDICTION AS A SWORN PUBLIC SAFETY OFFICER,
21 CORRECTIONAL OFFICER, DEPUTY SHERIFF OR COMPARABLE EMERGENCY
22 COMMUNICATIONS WORKER WOULD BE ELIGIBLE FOR TWO (2) PERCENT FOR
23 EACH YEAR OF SERVICE.

1 2. A MEMBER WHO TRANSFERS TIME FROM A GENERAL COUNTY
2 POSITION OR ANY POSITION OTHER THAN THE POSITIONS LISTED IN PARAGRAPH
3 (1) OF THIS SUBSECTION WOULD BE CALCULATED BASED ON THE MEMBER'S
4 GENERAL BENEFIT.

5
6 § 5-1-227 Reexamination of Beneficiaries Retired on Account of Disability.

7 (b) Should the Medical Board report and certify to the Board of Trustees that any
8 disability beneficiary is able to perform the duties required by the position the disability
9 beneficiary held prior to the disability beneficiary's retirement and should the Board of Trustees
10 concur in such report or should the statement of earnings reveal that any disability beneficiary is
11 engaged in gainful occupation paying more than the rate of the annual earnable compensation
12 currently being paid to persons in the same grade and step as the beneficiary attained at the time
13 of retirement plus the amount of any longevity for the length of service the disability beneficiary
14 had at the time of retirement, the pension otherwise payable to the disability beneficiary shall be
15 reduced as follows: For earnings in excess of such rate of annual earnable compensation plus
16 longevity amount, a reduction of two dollars (\$2.00) in pension benefits shall be made for each
17 five dollars (\$5.00) earned. BEGINNING JULY 1, 2026, THE REDUCTION NO LONGER
18 APPLIES TO MEMBERS ON PAY SCHEDULE IV. Should the disability beneficiary's
19 earning capacity be later changed, the amount of the disability beneficiary's pension may be
20 further modified; provided that the new pension shall not exceed the amount of the pension
21 which would have been payable to the disability beneficiary had it not been reduced on account
22 of excess earnings. A beneficiary restored to active service at a salary less than the rate of
23 annual earnable compensation currently being paid to persons in the same grade and step as the

beneficiary attained at the time of retirement plus the amount of any longevity for the length of service the disability beneficiary had at the time of retirement shall not become a member of the retirement system until the disability beneficiary's salary is at least equal to such rate of annual earnable compensation plus longevity amount.

Subtitle 3 – Deferred Retirement Option Program

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

(c) (4) If a member on PAY SCHEDULE IV OR pay schedule VII dies while eligible for the DROP, the member's spouse may:

(i) receive the DROP benefits as provided in this section; or

(ii) elect an allowance for service retirement benefit provided under § 5-1-216 of the code.

§ 5-1-305. Deferred Retirement Option Program – Correctional Officers and Deputy Sheriffs.

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

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

(2) 3, [3] 3.5, or 4 years if the member has 28 years or more of qualifying service; or

(3) 3, [3] 3.5, 4, [4] 4.5, or 5 years if the member has 29 years or more of qualifying service.

1 § 5-1-308. Deferred Retirement Option Program – Police Hired on or After July 1, 2007.

2 (c) Subject to the time limitation in subsection (d) of this section, a member may select
3 the following DROP period: 3 YEARS IF THE MEMBER HAS 28 YEARS OR MORE OF
4 QUALIFYING SERVICE.

5 (1) [3 Years if the member has 28 years or more of qualifying service;] IF A
6 MEMBER ON PAY SCHEDULE IV OR PAY SCHEDULE VII DIES WHILE ELIGIBLE FOR
7 THE DROP, THE MEMBER’S SPOUSE MAY:

8 (I) RECEIVE THE DROP BENEFITS AS PROVIDED IN THIS
9 SECTION; OR

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

12
13 SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having been passed by
14 the affirmative vote of five members of the County Council, shall take effect on July 1, 2025.



LEGISLATION DETAIL

LEGISLATION

DISPOSITION

ENACTED

EFFECTIVE

AMENDMENTS

ROLL CALL - BILL

MOTION

SECOND

AYE

NAY

☐☐

Councilman Young

☐☐

Councilman Patoka

☐☐

Councilman Kach

☐☐

Councilman Jones

☐☐

Councilman Marks

☐☐

Councilman Ertel

☐☐

Councilman Crandell

ROLL CALL - AMENDMENTS

MOTION

SECOND

AYE

NAY

☐☐

Councilman Young

☐☐

Councilman Patoka

☐☐

Councilman Kach

☐☐

Councilman Jones

☐☐

Councilman Marks

☐☐

Councilman Ertel

☐☐

Councilman Crandell

ROLL CALL - AMENDMENTS

MOTION

SECOND

AYE

NAY

☐☐

Councilman Young

☐☐

Councilman Patoka

☐☐

Councilman Kach

☐☐

Councilman Jones

☐☐

Councilman Marks

☐☐

Councilman Ertel

☐☐

Councilman Crandell

ROLL CALL - AMENDMENTS

MOTION

SECOND

AYE

NAY

☐☐

Councilman Young

☐☐

Councilman Patoka

☐☐

Councilman Kach

☐☐

Councilman Jones

☐☐

Councilman Marks

☐☐

Councilman Ertel

☐☐

Councilman Crandell