

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2013, Legislative Day No. 37

Bill No. 80-13

Introduced by Mr. Grasso

By the County Council, September 16, 2013

Introduced and first read on September 16, 2013

Public Hearing set for October 21, 2013

Bill Expires December 20, 2013

By Order: Elizabeth E. Jones, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Pensions – Vesting – Employees’ Retirement Plan

2
3 FOR the purpose of amending the eligible time period for vesting in a pension in the
4 Employees’ Retirement Plan; and generally relating to pensions.

5
6 BY repealing and reenacting, with amendments: §§ 5-1-211(b) and 5-3-301(a)
7 Anne Arundel County Code (2005, as amended)

8
9 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
10 That Section(s) of the Anne Arundel County Code (2005, as amended) read as follows:

11
12 **ARTICLE 5. PENSIONS**

13
14 **TITLE 1. GENERAL PROVISIONS**

15
16 **5-1-211. Purchases service – Employees’ Retirement Plan and Detention Officers’ and**
17 **Deputy Sheriffs’ Retirement Plan.**

18
19 (b) **Payment.**

20
21 (1) To obtain purchased service, a participant shall pay a lump sum amount equal to
22 the reserves actuarially determined necessary to fund the benefits attributable to the
23 purchased service.

EXPLANATION: CAPITALS indicate new matter added to existing law.
[Brackets] indicate matter stricken from existing law.

1 (2) Notwithstanding any other provision of this title, a participant IN THE DETENTION
2 OFFICERS' AND DEPUTY SHERIFFS' RETIREMENT PLAN may not obtain and pay for any
3 purchased service until the participant has completed actual plan service plus transferred
4 service under § 5-1-302 totaling five years.

5
6 (3) NOTWITHSTANDING ANY OTHER PROVISION OF THIS TITLE, A PARTICIPANT IN THE
7 EMPLOYEES' RETIREMENT PLAN HIRED BEFORE THE EFFECTIVE DATE OF BILL NO. 80-13 MAY
8 NOT OBTAIN AND PAY FOR ANY PURCHASED SERVICE UNTIL THE PARTICIPANT HAS
9 COMPLETED ACTUAL PLAN SERVICE PLUS TRANSFERRED SERVICE UNDER § 5-1-302
10 TOTALING FIVE YEARS.

11
12 (4) NOTWITHSTANDING ANY OTHER PROVISION OF THIS TITLE WITH THE EXCEPTION
13 OF PARAGRAPH (B)(5) OF THIS SECTION, A PARTICIPANT IN THE EMPLOYEES' RETIREMENT
14 PLAN HIRED ON OR AFTER THE EFFECTIVE DATE OF BILL NO. 80-13 MAY NOT OBTAIN AND
15 PAY FOR ANY PURCHASED SERVICE UNTIL THE PARTICIPANT HAS COMPLETED ACTUAL
16 PLAN SERVICE PLUS TRANSFERRED SERVICE UNDER § 5-1-302 TOTALING TEN YEARS.

17
18 (5) NOTWITHSTANDING ANY OTHER PROVISION OF THIS TITLE, A PARTICIPANT IN THE
19 EMPLOYEES' RETIREMENT PLAN WHO IS AN ELECTED OFFICIAL WHOSE FIRST TERM BEGINS
20 ON OR AFTER THE FIRST MONDAY IN DECEMBER 2014 MAY NOT OBTAIN AND PAY FOR ANY
21 PURCHASED SERVICE UNTIL THE PARTICIPANT HAS COMPLETED ACTUAL PLAN SERVICE
22 PLUS TRANSFERRED SERVICE UNDER § 5-1-302 TOTALING EIGHT YEARS.

23
24 [(3)] (6) Purchased service may not be counted as credited service until paid for in
25 full.

26
27 **TITLE 3. EMPLOYEES' RETIREMENT PLAN**

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29 **5-3-301. Vesting; termination of service before retirement.**

30
31 (a) **Generally.** A participant vests in the benefits of the plan upon completion of actual
32 plan service plus transferred service under § 5-1-302 [totaling five years] AS SET FORTH IN
33 THIS SUBSECTION.

34
35 (1) A PARTICIPANT HIRED BEFORE THE EFFECTIVE DATE OF BILL NO. 80-13 WHO IS
36 NOT AN ELECTED OFFICIAL VESTS IN THE BENEFITS OF THE PLAN UPON COMPLETION OF
37 ACTUAL PLAN SERVICE PLUS TRANSFERRED SERVICE UNDER § 5-1-302 TOTALING FIVE
38 YEARS.

39
40 (2) A PARTICIPANT HIRED ON OR AFTER THE EFFECTIVE DATE OF BILL NO. 80-13 WHO
41 IS NOT AN ELECTED OFFICIAL VESTS IN THE BENEFITS OF THE PLAN UPON COMPLETION OF
42 ACTUAL PLAN SERVICE PLUS TRANSFERRED SERVICE UNDER § 5-1-302 TOTALING TEN YEARS.

43
44 (3) EXCEPT AS PROVIDED IN PARAGRAPH (A)(IV) A PARTICIPANT WHO IS AN ELECTED
45 OFFICIAL VESTS IN THE BENEFITS OF THE PLAN UPON COMPLETION OF ACTUAL PLAN
46 SERVICE PLUS TRANSFERRED SERVICE UNDER § 5-1-302 TOTALING FIVE YEARS.

47
48 (4) A PARTICIPANT WHO IS AN ELECTED OFFICIAL WHOSE FIRST TERM BEGINS ON OR
49 AFTER THE FIRST MONDAY IN DECEMBER 2014 VESTS IN THE BENEFITS OF THE PLAN UPON
50 COMPLETION OF ACTUAL PLAN SERVICE PLUS TRANSFERRED SERVICE UNDER § 5-1-302
51 TOTALING EIGHT YEARS.

52 SECTION 2. *And be it further enacted* That all references in this Ordinance to “the
53 effective date of Bill No. 80-13”, or words to that effect, shall, upon codification, be replaced

1 with the actual date on which this Ordinance takes effect under Section 307 of the County
2 Charter as certified by the Administrative Officer to the Country Council.

3

4 SECTION 3. *And be it further enacted*, That this Ordinance shall take effect 45 days
5 from the date it becomes law.