



Gregory J. Swain, County Attorney

MEMORANDUM

To: Council Members, Anne Arundel County Council

From: Lori L. Blair Klasmeier, Deputy County Attorney /s/

Via: Gregory J. Swain, County Attorney /s/

Date: July 6, 2020

Subject: Bill No. 54-20 – Pension – Deferred Retirement Option Program – Detention Officers’ and Deputy Sheriffs’ Retirement Plan – Employees’ Retirement Plan – Eligibility – Participants

Legislative Summary*

This summary was prepared by the Anne Arundel County Office of Law for use by members of the Anne Arundel County Council during consideration of Bill No. 54-20, a bill that modifies certain provisions related to the participation in the Detention Officers’ and Deputy Sheriffs’ Pension Plan.

Purpose. The purpose of the Bill is to make certain employees of the Department of Detention Facilities hired after the effective date of the bill no longer eligible to participate in the Detention Officers’ and Deputy Sheriffs’ (“DODS”) Retirement Plan. Those employees would be eligible to participate in the Employees’ Retirement Plan. The Bill also expands eligibility to participate in the Deferred Retirement Option Program (“DROP”) to certain participants in the Plan.

Background. At this time, there are two categories of job classifications that are eligible to participate in the DODS Retirement Plan. These are designated as category I and category II in the Code. The Superintendent of Detention Facilities is a participant in the Employees’ Retirement Plan, but may elect to participate in the DODS Retirement plan. If that election is made, the Superintendent is a category II participant in the DODS Retirement Plan.

Employees in job classifications listed as being in category I, as well as three of the six job classifications listed as being in category II are eligible to participate in the DROP. Only four employees may enter the DODS DROP each month.

Classified employees who are not participants in another County retirement plan are

* This Legislative Summary provides a synopsis of the bill as introduced. It does not address subsequent amendments to the bill.

eligible to participate in the Employees' Retirement Plan, as are certain appointed and elected officials.

SECTION 1. (uncodified) provides that certain Code provisions are renumbered as necessary for later additions.

The following changes are made in **SECTION 2.** of the Bill.

Subsection **5-6-102(a)** is modified to provide that employees in job classifications listed in category II (§ 5-6-102(c)), including the Superintendent of Detention Facilities, are eligible to participate in the DODS Retirement Plan only if they are in the job classification as of the effective date of the Bill. New hires in category II job classifications after the effective date of the Bill will only be eligible to participate in the Employees' Retirement Plan.

Subsection **5-6-102(b)** is changed to add the job classification of Deputy Sheriff Corporal to the list of category I participants in the DODS Retirement Plan.

Subsection **5-6-102(b)** is added to provide that an employee in a category II job classification as of the effective date of the Bill may continue to participate in the DODS Retirement Plan if the employee is promoted or transferred directly into another category II job classification.

Subsection **5-1-503(c)** is amended to provide that any participant in the DODS Retirement Plan is eligible to participate in the DODS DROP if the employee is actively employed by the County in a position covered by the DODS Retirement Plan and the employee has completed 20 years of plan service.

Subsection **5-1-505(d)** is added to provide that, in addition to the four employees permitted to enter the DODS DROP each month, a total of two employees in the job classifications of Correctional Program Specialist and Criminal Justice Program Supervisor may enter the DODS DROP each month.

Because a Superintendent of Detention Facilities appointed after the effective date of the Bill will not be eligible to elect to participate in the DODS Retirement Plan as a category II participant, § **5-3-103(a)(2)(iii)** related to the Employee's Retirement Plan is modified to reflect the ability to make the election only before the effective date of the Bill.

SECTION 3. (uncodified) provides that references to the effective date of the Bill will be replaced with the actual effective date when the Bill is codified.

SECTION 4. (uncodified) provides that the bill takes effect 45 days after it becomes law.

The Office of Law is available to answer any additional questions regarding Bill No. 54-20. Thank you.

Cc: Honorable Steuart Pittman, County Executive
Matthew Power, Chief Administrative Officer
Dr. Kai Boggess-de Bruin, Chief of Staff
Peter Baron, Legislative Liaison
Jim Beauchamp, Budget Officer
Sherri Dickerson, Personnel Officer