

PROPOSED

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2018, Legislative Day No. 34

Bill No. 83-18

Introduced by Mr. Peroutka, Chairman
(by request of the County Executive)

By the County Council, July 16, 2018

Introduced and first read on July 16, 2018
Public Hearing set for October 1, 2018
Bill Expires October 19, 2018

By Order: JoAnne Gray, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Pensions – Employees’ Retirement Plan – Joint and
2 Survivor Options – Unmarried Minor Child

3
4 FOR the purpose of providing that a child who is a joint annuitant in the Employees’
5 Retirement Plan must be an unmarried minor; providing that the pension benefits for a
6 joint annuitant who is an unmarried minor child cease upon the attainment of age 18
7 years or marriage of the unmarried minor child, whichever occurs first; and generally
8 relating to pensions and the Employees’ Retirement Plan.

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10 BY repealing and reenacting, with amendments: § 5-3-306(c) and (e)(1)
11 Anne Arundel County Code (2005, as amended)

12
13 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
14 That Section(s) of the Anne Arundel County Code (2005, as amended) read as follows:

ARTICLE 5. PENSIONS

TITLE 3. EMPLOYEES’ RETIREMENT PLAN

5-3-306. Pension payment – Options.

21
22 (c) **Joint and survivor option.** Under the joint and survivor option, the participant
23 may designate one joint annuitant, either a spouse or [a] AN UNMARRIED MINOR child.
24 Pension benefits shall be paid as follows:

EXPLANATION: CAPITALS indicate new matter added to existing law.
[Brackets] indicate matter stricken from existing law.
Captions and taglines in **bold** in this bill are catchwords and are not law.

1 (1) pension benefits in an amount determined to be actuarially equivalent to the
2 modified cash refund annuity, without regard to any guarantee of accumulated
3 contributions, shall be paid to the participant during the participant's lifetime; and
4

5 (2) at the participant's death, 100% of pension benefits payable to the participant,
6 or 80%, 66 2/3%, or 50% of that amount, as elected by the participant, shall be paid to the
7 joint annuitant during the joint annuitant's lifetime. IF THE DESIGNATED JOINT
8 ANNUITANT IS AN UNMARRIED MINOR CHILD, BENEFITS SHALL CEASE WHEN THE CHILD
9 ATTAINS THE AGE OF 18 OR MARRIES, WHICHEVER OCCURS FIRST.

10
11 **(e) Joint and survivor pop-up option.**

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13 (1) Under the joint and survivor pop-up option, a participant may designate one
14 joint annuitant, either a spouse or [a] AN UNMARRIED MINOR child. Pension benefits shall
15 be paid as follows:

16
17 (i) pension benefits in an amount determined to be actuarially equivalent to the
18 modified cash refund annuity, without regard to any guarantee of accumulated
19 contributions, shall be paid to the participant during the participant's lifetime; and
20

21 (ii) at the participant's death, 100% of pension benefits payable to the
22 participant, or 80%, 66 2/3%, or 50% of that amount, as elected by the participant, shall be
23 paid to the joint annuitant during the joint annuitant's lifetime. IF THE DESIGNATED JOINT
24 ANNUITANT IS AN UNMARRIED MINOR CHILD, BENEFITS SHALL CEASE WHEN THE CHILD
25 ATTAINS THE AGE OF 18 OR MARRIES, WHICHEVER OCCURS FIRST.

26
27 SECTION 2. *And be it further enacted*, That this Ordinance shall take effect 45 days
28 from the date it becomes law.