

PROPOSED

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2017, Legislative Day No. 31

Bill No. 63-17

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

By the County Council, June 5, 2017

Introduced and first read on June 5, 2017
Public Hearing set for July 3, 2017
Bill Expires September 8, 2017

By Order: JoAnne Gray, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Deferred Retirement Option Programs – Fire Service
2 Retirement Plan, Police Service Retirement Plan, and Detention Officers’ and Deputy
3 Sheriffs’ Retirement Plan
4

5 FOR the purpose of modifying reemployment provisions for certain retirees who
6 participated in Deferred Retirement Option Programs; modifying general provisions
7 relating to reemployment of retirees; providing for the application of this Ordinance;
8 and generally relating to retirement plans.
9

10 BY repealing and reenacting, with amendments: §§ 5-1-203(c)(1); and 5-1-515(a) and (b)
11 (as amended by Bill No. 56-16)
12 Anne Arundel County Code (2005, as amended)
13

14 SECTION 1. *Be it enacted by the County Council of Anne Arundel County,*
15 *Maryland, That Section(s) of the Anne Arundel County Code (2005, as amended)(and as*
16 *amended by Bill No. 56-16) read as follows:*
17

ARTICLE 5. PENSIONS

TITLE 1. GENERAL PROVISIONS

22 5-1-203. Reemployment.

23 (c) When benefits not reduced.

24 (1) Except as provided in § 5-1-515(A), a participant’s retirement benefit may not
25
26

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

1 be reduced if:

2
3 (i) the employee is retired from the County as a classified employee and is
4 reemployed by the County as:

5
6 1. an exempt employee under § 802(a)(14) of the Charter;

7
8 2. an employee of the Sheriff in a position that requires the employee to
9 be certified as a Police Officer by the Police Training Commission if the employee was
10 certified as a Police Officer by the Police Training Commission at the time the employee
11 retired; or

12
13 3. an employee of the State's Attorney in a position that requires the
14 employee to be certified as a Police Officer by the Police Training Commission if the
15 employee was certified as a Police Officer by the Police Training Commission at the time
16 the employee retired; or

17
18 (ii) the employee retired from the County as an exempt employee under §§ 6-
19 2-101, 6-2-104, or 6-2-105 of this Code in a position that is not exempt from the
20 provisions of the Fair Labor Standards Act, 29 U.S.C. §§ 207 et seq. and is reemployed
21 by the County as an exempt employee under § 802(a)(14) of the Charter.

22
23 **5-1-515. Reemployment of participant.**

24
25 (a) **Reduction in benefit.** [Except as provided in subsection (b), if]IF a former
26 DROP participant IN THE FIRE SERVICE RETIREMENT PLAN who is receiving a retirement
27 benefit under § 5-1-512 is reemployed in any capacity by the County, the retirement
28 benefit under § 5-1-512(a) shall be reduced during the period of reemployment by \$1.00
29 for each \$2.00 received in salary or wages from the County.

30
31 (b) **When benefits not reduced.**

32
33 (1) The retirement benefit of a former DROP participant who is a member of the
34 Police Service Retirement Plan OR THE DETENTION OFFICERS' AND DEPUTY SHERIFFS'
35 RETIREMENT PLAN may not be reduced if the employee is REEMPLOYED BY THE COUNTY
36 PURSUANT TO § 5-1-203(C)(1)[:

37
38 (i) retired from the County as a classified employee; and

39
40 (ii) reemployed by the County as an employee of the Sheriff or the State's
41 Attorney in a position that requires the employee to be certified as a Police Officer by the
42 Police Training Commission if the employee was certified as a Police Officer by the
43 Police Training Commission at the time the employee retired].

44
45 (2) An employee REEMPLOYED under subsection (b)(1) does not accrue a new
46 pension benefit during the period of reemployment.

47
48 SECTION 2. *And be it further enacted,* That the provisions of this Ordinance shall
49 be retroactive to July 1, 2017.

1 SECTION 3. *And be it further enacted*, That the provisions of this Ordinance shall
2 take effect 45 days from the date it becomes law.