

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2017, Legislative Day No. 13

Bill No. 50-17

Councilmembers Quirk & Jones

By the County Council, August 7, 2017

A BILL
ENTITLED

AN ACT concerning

Employees Retirement System – Part-time Employees

FOR the purpose of authorizing certain beneficiaries of a service retirement benefit in the Employees Retirement System to receive a service retirement benefit under certain circumstances if the beneficiary is employed by the County as a seasonal or part-time employee ~~with a public safety agency or in a public safety role~~; and generally relating to the Employees Retirement System.

BY adding
Section 5-1-236(f)
Article 5 – Pensions and Retirement
Title 1 – Employees Retirement System
Subtitle 2 – Retirement System
Baltimore County Code, 2015

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.

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
2 COUNTY, MARYLAND, that the Laws of Baltimore County read as follows:

3
4 ARTICLE 5 – PENSIONS AND RETIREMENT

5 TITLE 1 – EMPLOYEES RETIREMENT SYSTEM

6 SUBTITLE 2 – RETIREMENT SYSTEM
7

8 § 5-1-236. Limitations on benefits.

9 (f) (1) SUBJECT TO PARAGRAPHS (2), (3), ~~AND (4), AND (5)~~ OF THIS SUBSECTION,
10 A BENEFICIARY OF A SERVICE RETIREMENT BENEFIT UNDER THIS SUBTITLE WHO
11 RETURNS TO ACTIVE SERVICE WITH THE COUNTY MAY RECEIVE THE SERVICE
12 RETIREMENT BENEFIT DURING THE TIME IN WHICH THE BENEFICIARY REMAINS
13 IN ACTIVE SERVICE IF THE BENEFICIARY IS EMPLOYED BY THE COUNTY OR
14 REVENUE AUTHORITY AS A SEASONAL OR PART-TIME EMPLOYEE WITH A PUBLIC
15 SAFETY AGENCY OR IN A PUBLIC SAFETY ROLE.

16 (2) AN ELIGIBLE BENFICIARY MAY BE SELECTED FOR ACTIVE SERVICE BY
17 THE CHIEF, DIRECTOR, OR SUPERINTENDENT OF THE REQUESTING AGENCY, AND
18 MAY INITIALLY BE EMPLOYED AS A PART-TIME EMPLOYEE FOR UP TO SIX
19 MONTHS PURSUANT TO SECTION 4-8-101, RULE 8.01 OF THE CODE.

20 (3) AT THE CONCLUSION OF THE SIX MONTH PERIOD, IF THE AGENCY AND
21 THE BENEFICIARY DESIRE TO CONTINUE THE PART-TIME EMPLOYMENT, THE
22 BENEFICIARY MAY ENTER INTO AN AGREEMENT WITH THE COUNTY NOT TO
23 EXCEED ONE YEAR OUTLINING THE TERMS OF CONTINUED PART-TIME
24 EMPLOYMENT.

1 (4) THE MEMBERS OF THE COUNTY COUNCIL SHALL BE NOTIFIED IN
2 WRITING THAT AN AGENCY INTENDS TO CONTINUE THE PART-TIME
3 EMPLOYMENT, INCLUDING ANY RENEWALS OF THE INITIAL ONE YEAR TERM.
4 THE NOTIFICATION SHALL INCLUDE A LIST OF THE NAMES OF THE PART-TIME
5 EMPLOYEES, THE JOB TITLE, THE NUMBER OF HOURS TO BE WORKED PER WEEK,
6 AND A DESCRIPTION OF THE JOB DUTIES. THE EMPLOYMENT AGREEMENT MAY
7 BE APPROVED UNLESS WITHIN 14 DAYS AFTER RECEIPT OF THE NOTIFICATION,
8 THE COUNTY COUNCIL REQUESTS IN WRITING THAT THE AGREEMENT, AND ANY
9 RENEWALS THEREOF, BE FORWARDED TO THE COUNTY COUNCIL FOR APPROVAL
10 OR DISAPPROVAL AT A LEGISLATIVE SESSION.

11 ~~(4)~~ (5) (I) A BENEFICIARY WHO RETURNS TO ACTIVE SERVICE WITH THE
12 COUNTY UNDER THIS ~~PARAGRAPH~~ SUBSECTION IS NOT ELIGIBLE FOR BENEFITS
13 AFFORDED CLASSIFIED AND EXEMPT EMPLOYEES, AND MAY NOT CREDIT ANY
14 PART-TIME ACTIVE SERVICE TIME TO AN EXISTING SERVICE RETIREMENT
15 BENEFIT AND MAY NOT CLAIM AN ADDITIONAL SERVICE RETIREMENT BENEFIT
16 FOR THIS ACTIVE SERVICE TIME.

17 (II) EXCEPT FOR A PERSON SELECTED UNDER THIS SUBSECTION
18 PRIOR TO THE EFFECTIVE DATE OF THIS ACT, A BENEFICIARY WHO RETURNS TO
19 ACTIVE SERVICE MUST HAVE BEEN RETIRED FROM THE COUNTY FOR A PERIOD
20 OF NOT LESS THAN SIX MONTHS.

21
22 SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having been passed by
23 the affirmative vote of five members of the County Council, shall take effect on September 18,
24 2017.