Expedited Bill No.: 17-04

Concerning: Personnel—Retirement—

Fire/Rescue

Revised:

Draft No. 1

Enacted: June 29. 2004

Introduced: June 15. 2004

Executive:

Tu1137 8 2004

Effective:

.Tบ1⊽ 8. 2004

Sunset Date: None

Ch. <u>14,</u> Laws of Mont. Co. <u>2004</u>

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the Request of the County Executive

AN EXPEDITED ACT to:

- (1) increase the pension amount of a Group G member of the integrated plan who retires on a normal retirement by lessening the reduction of the pension after the member reaches Social Security retirement age;
- pay a service-connected disability retirement pension of at least 70 percent of the **(2)** member's final earnings to the spouse or domestic partner and children of a Group G member whose death was service related; and
- generally amend the law regarding retirement for Group G members. (3)

By amending

Montgomery County Code Chapter 33, Personnel and Human Resources Sections 33-42 and 33-46

Boldface

Underlining

[Single boldface brackets]

Double underlining

[[Double boldface brackets]]

Heading or defined term.

Added to existing law by original bill.

Deleted from existing law by original bill.

Added by amendment.

Deleted from existing law or the bill by amendment.

Existing law unaffected by bill.

The County Council for Montgomery County, Maryland approves the following Act:

1	Sec. 1. Sections 33-42 and 33-46 are amended, as follows:							
2	33-42. Am	ount o	of pens	ion at	norma	ıl retire	ement d	ate or early retirement date.
3					*	*	*	
4	(b)	Amo	ount of	pensio	n at no	rmal re	tiremen	t date.
5					*	*	*	
6		(2)	Pens	ion an	ount f	or an In	tegrated	l Retirement Plan member.
7					*	*	*	
8			(E)	The	County	must c	ompute	the annual pension of a Group
9				G m	ember i	in the ir	ntegrated	l retirement plan who retires
10		on a normal retirement as follows:						
11					*	*	*	
12				(ii)	From	the mo	onth the	member reaches Social
13					Secu	rity reti	rement a	age, the percentages specified
14					in cla	use (i)	must be	reduced, respectively, by the
15					follo	wing pe	ercentage	es of average final earnings for
16					the p	ortion o	of any an	nount equal to or less than the
17					Socia	al Secur	ity maxi	mum covered compensation
18					in eff	ect on t	the date	of retirement:
19					(a)	[1] <u>0.6</u>	<u>625</u> perc	ent, for each of the first 20
20						years	of credit	ted service;
21					(b)	[1 ½]	<u>0.9375</u> j	percent, for years 21 through
22						24 of	credit se	rvice;
23					(c)	[4] <u>2.5</u>	5 percen	t, for the 25th year of credited
24						servic	e; and	
25					(d)	[1] <u>0.6</u>	<u>625</u> perc	ent for each year of credited
26						servic	e of mo	re than 25 years, to a

27		maximum of 31 years, plus sick leave
28		credits.
29		* * *
30	33-46.	Death benefits and designation of beneficiaries.
31		* * *
32	(b)	Spouse's, or domestic partner's, and children's benefits of a member
33		whose death is service-connected.
34		(1) (A) If a member other than a Group F or G member dies
35		while employed by the County or a participating agency
36		on or after August 15, 1965, and the employing
37		department or agency, a beneficiary, or another person
38		submits satisfactory proof to the Chief Administrative
39		Officer that the employee's death resulted from injuries
40		sustained in the line of duty or was directly attributable to
41		the inherent hazards of the duties the employee
42		performed and the death was not due to willful
43		negligence, the County must pay benefits as follows:
44		* * *
45		(2) The Chief Administrative Officer must pay death benefits to the
46		spouse or domestic partner and child of a Group F or G member
47		as if the member had been receiving a service-connected
48		disability pension on the date of the member's death and had
49		selected a joint and survivor pension option of 100 percent of
50		the amount payable to the member, if:
51		(A) the Group F or G member died while employed by the
52		County; and

53	(B) the employing department, a beneficiary, or another						
54	person submits satisfactory proof to the Chief						
55	Administrative Officer that the member's death:						
56	(i) resulted from injuries the employee received in the						
57	line of duty or was directly attributable to the						
58	inherent hazards of the duties the employee						
59	performed; and						
60	(ii) was not due to the employee's willful negligence.						
61	(3) The Chief Administrative Officer must pav a benefit to the						
62	spouse or domestic partner and children of a Group G member						
63	who dies on or after July 1. 2004 under the conditions stated in						
64	subsection (2) as if the member had died while receiving a						
65	service connected disability retirement benefit of at least 70						
66	percent of the member's final earnings.						
67	* * *						
68	Sec. 2. Transition.						
69	Sections 33-42(b)(2) and 33-46(b) of the Code, as amended by this Act,						
70	apply to eligible Group G members who file applications to retire on or after July						
71	1, 2004.						
72	Sec. 3. Expedited Effective Date.						
73	The Council declares that this legislation is necessary for the immediate						
74	protection of the public interest. This Act takes effect on the date on which it						
75	becomes law.						
76	Approved:						
77 78	Steven A. Silverman, President, County Council Calculate Calcula						

Douglas M. Duncan, County Executive

80 This is a correct copy of Council action.

81 Mary A. Edgar CMC, Clerk of the Council

Date