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;

(2) pay a service-connected disability retirement pension of at least 70 percent of the member's final earnings to the spouse or domestic partner and children of a Group G member whose death was service related; and

(3) generally amend the law regarding retirement for Group G members.

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

The County Council for Montgomery County, Maryland approves the following Act:
Sec. 1. Sections 33-42 and 33-46 are amended, as follows:

33-42. Amount of pension at normal retirement date or early retirement date.

(b) Amount of pension at normal retirement date.

(2) Pension amount for an Integrated Retirement Plan member.

(E) The County must compute the annual pension of a Group G member in the integrated retirement plan who retires on a normal retirement as follows:

(ii) From the month the member reaches Social Security retirement age, the percentages specified in clause (i) must be reduced, respectively, by the following percentages of average final earnings for the portion of any amount equal to or less than the Social Security maximum covered compensation in effect on the date of retirement:

(a) [1] 0.625 percent, for each of the first 20 years of credited service;
(b) [1 ½] 0.9375 percent, for years 21 through 24 of credit service;
(c) [4] 2.5 percent, for the 25th year of credited service; and
(d) [1] 0.625 percent for each year of credited service of more than 25 years, to a
27 maximum of 31 years, plus sick leave credits.

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33-46. Death benefits and designation of beneficiaries.

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(b) Spouse’s, or domestic partner’s, and children’s benefits of a member whose death is service-connected.

(1) (A) If a member other than a Group F or G member dies while employed by the County or a participating agency on or after August 15, 1965, and the employing department or agency, a beneficiary, or another person submits satisfactory proof to the Chief Administrative Officer that the employee’s death resulted from injuries sustained in the line of duty or was directly attributable to the inherent hazards of the duties the employee performed and the death was not due to willful negligence, the County must pay benefits as follows:

* * *

(2) The Chief Administrative Officer must pay death benefits to the spouse or domestic partner and child of a Group F or G member as if the member had been receiving a service-connected disability pension on the date of the member’s death and had selected a joint and survivor pension option of 100 percent of the amount payable to the member, if:

(A) the Group F or G member died while employed by the County; and
(B) the employing department, a beneficiary, or another
person submits satisfactory proof to the Chief
Administrative Officer that the member’s death:
(i) resulted from injuries the employee received in the
line of duty or was directly attributable to the
inherent hazards of the duties the employee
performed; and
(ii) was not due to the employee’s willful negligence.

(3) The Chief Administrative Officer must pay a benefit to the
spouse or domestic partner and children of a Group G member
who dies on or after July 1, 2004 under the conditions stated in
subsection (2) as if the member had died while receiving a
service connected disability retirement benefit of at least 70
percent of the member’s final earnings.

Sec. 2. Transition.
Sections 33-42(b)(2) and 33-46(b) of the Code, as amended by this Act,
apply to eligible Group G members who file applications to retire on or after July
1, 2004.

Sec. 3. Expedited Effective Date.
The Council declares that this legislation is necessary for the immediate
protection of the public interest. This Act takes effect on the date on which it
becomes law.

Approved:

Steven A. Silverman, President, County Council

6/29/04
Date
This is a correct copy of Council action.