

Expedited Bill No.: 17-04
Concerning: Personnel—Retirement—
Fire/Rescue
Revised: _____ Draft No. 1
Introduced: June 15, 2004
Enacted: June 29, 2004
Executive: July 8, 2004
Effective: July 8, 2004
Sunset Date: None
Ch. 14, Laws of Mont. Co. 2004

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

| | |
|------------------------------|--|
| Boldface | <i>Heading or defined term.</i> |
| <u>Underlining</u> | <i>Added to existing law by original bill.</i> |
| [Single boldface brackets] | <i>Deleted from existing law by original bill.</i> |
| <u>Double underlining</u> | <i>Added by amendment.</i> |
| [[Double boldface brackets]] | <i>Deleted from existing law or the bill by amendment.</i> |
| * * * | <i>Existing law unaffected by bill.</i> |

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
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 pay 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 /s/ Steven A. Silverman, President, County Council 6/29/04
Date

