

Expedited Bill No. 1-08
Concerning: Personnel - Disability Retirement - Group F or G
Revised: 1/03/08 Draft No. 3
Introduced: January 15, 2008
Enacted: March 18, 2008
Executive: March 26, 2008
Effective: March 26, 2008
Sunset Date: None
Ch. 1, Laws of Mont. Co. 2008

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: Council President at the Request of the County Executive

AN EXPEDITED ACT to:

- (1) require the County to pay a Group G member who retires on a service-connected disability retirement between June 26, 2002, and June 30, 2007 a pension based on average final earnings if it results in a greater benefit than final earnings in cases where the greater benefit under 33-43 resulted in the benefit calculated under 33-42;
- (2) require the County to pay a Group F member who retires on a service-connected disability pension on or after June 26, 2002 a pension based on average final earnings if it results in a greater benefit than final earnings in cases where the greater benefit under 33-43 resulted in the benefit calculated under 33-42; and
- (3) generally amend the law regarding disability retirement.

By amending

Montgomery County Code
Chapter 33, Personnel and Human Resources
Section 33-43

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:

1 **Sec. 1. Section 33-43 is amended as follows:**

2 **33-43. Disability Retirement**

3 * * *

4 (i) *Amount of pension at service-connected disability retirement.*

5 * * *

6 (2) The County must pay a Group G member who retires on a
7 service-connected disability retirement an annual pension
8 calculated under Section 33-42(b)(1), except that the County
9 must substitute final earnings for average final earnings.
10 However, if this benefit calculation is greater than any other
11 benefit under this subsection, the County must pay a Group G
12 member who retires on a service-connected disability
13 retirement between June 26, 2002, and June 30, 2007, a pension
14 based on the member's average final earnings if that member's
15 average final earnings result in a greater benefit than final
16 earnings.

17 * * *

18 (7) The County must pay a Group F member who retires on a
19 service-connected disability retirement on or after June 26,
20 2002, an annual pension calculated under subsection (i) (1).
21 However, if the greater benefit results from the calculation
22 under Section 33-42(b)(1), the County must pay a Group F
23 member a pension based on the member's average final
24 earnings if that member's average final earnings result in a
25 greater benefit than final earnings.

26 **Sec. 2. Expedited Effective Date.**

27 The Council declares that this legislation is necessary for the immediate
28 protection of the public interest. This Act takes effect on the date when it becomes
29 law.

30 *Approved:*

31 Michael J. Knapp 19 MAR 08
Michael J. Knapp, President, County Council Date

32 *Approved:*

33 Isiah Leggett 26 Mar 08
Isiah Leggett, County Executive Date

34 *This is a correct copy of Council action.*

35 Linda M. Lauer March 28, 2008
Linda M. Lauer, Clerk of the Council Date