

PROPOSED

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2018, Legislative Day No. 34

Bill No. 81-18

Introduced by Mr. Peroutka, Chairman
(by request of the County Executive)

By the County Council, July 16, 2018

Introduced and first read on July 16, 2018
Public Hearing set for October 1, 2018
Bill Expires October 19, 2018

By Order: JoAnne Gray, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Pensions – Employees’ Retirement Plan – Refund of
2 Accumulated Contributions – Election to Defer Retirement Date

3
4 FOR the purpose of permitting a vested participant to leave accumulated contributions in
5 the Employees’ Retirement Plan after termination of service; allowing an early retiree
6 vested in the Employees’ Retirement Plan to defer receipt of benefits to normal
7 retirement date; and generally relating to pensions and the Employees’ Retirement
8 Plan.

9
10 BY repealing: § 5-3-301(e)
11 Anne Arundel County Code (2005, as amended)

12
13 BY repealing and reenacting, with amendments: § 5-3-301(c)
14 Anne Arundel County Code (2005, as amended)

15
16 BY renumbering: § 5-3-301(f) and (g) to be § 5-3-301(e) and (f)
17 Anne Arundel County Code (2005, as amended)

18
19 BY adding: § 5-3-304(f)
20 Anne Arundel County Code (2005, as amended)

21
22 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
23 That § 5-3-301(e) of the Anne Arundel County Code (2005, as amended) be and it is hereby
24 repealed.

EXPLANATION: CAPITALS indicate new matter added to existing law.
[Brackets] indicate matter stricken from existing law.
Captions and taglines in **bold** in this bill are catchwords and are not law.

1 SECTION 2. *And be it further enacted*, That § 5-3-301(f) and (g) of the Anne Arundel
2 County Code (2005, as amended) are hereby renumbered to be § 5-3-301(e) and (f),
3 respectively.

4
5 SECTION 3. *And be it further enacted*, That Section(s) of the Anne Arundel County
6 Code (2005, as amended) read as follows:

7
8 **ARTICLE 5. PENSIONS**

9
10 **TITLE 3. EMPLOYEES' RETIREMENT PLAN**

11
12 **5-3-301. Vesting; termination of service before retirement.**

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14 (c) **Termination of service before retirement; refund of accumulated**
15 **contributions.** A participant who vests and who terminates service before retirement must
16 leave any accumulated contributions in the pension fund to become a terminated vested
17 participant and to be eligible to receive retirement benefits. AN ELECTION TO LEAVE A
18 VESTED PARTICIPANT'S ACCUMULATED CONTRIBUTIONS IN THE PLAN MUST BE MADE
19 WITHIN 30 DAYS FROM THE DATE OF TERMINATION OF SERVICE. IF NO SUCH ELECTION IS
20 MADE, THE PARTICIPANT WILL BE REFUNDED THE AMOUNT OF ANY ACCUMULATED
21 EMPLOYEE CONTRIBUTIONS, PLUS CREDITED INTEREST.

22
23 **5-3-304. Computation of pension – Early retirement.**

24
25 (F) **Irrevocable election to defer retirement date.**

26
27 (1) A VESTED PARTICIPANT WHO IS ELIGIBLE FOR EARLY RETIREMENT UNDER § 5-
28 3-302 ON THE DATE OF TERMINATION OF SERVICE MAY ELECT TO DEFER RECEIPT OF
29 BENEFITS UNTIL REACHING NORMAL RETIREMENT DATE UNDER § 5-3-303. SUCH ELECTION
30 IS IRREVOCABLE AND SHALL BE MADE UPON TERMINATION OF PARTICIPANT'S
31 EMPLOYMENT. THE PARTICIPANT SHALL ALSO ELECT A PENSION PAYMENT OPTION
32 UNDER § 5-3-306 AT THE TIME OF TERMINATION.

33
34 (2) IF A PARTICIPANT WHO ELECTS TO DEFER RECEIPT OF BENEFITS UNTIL
35 REACHING NORMAL RETIREMENT DATE IS REEMPLOYED BY THE COUNTY IN A POSITION
36 ELIGIBLE FOR PARTICIPATION IN THE EMPLOYEES' RETIREMENT PLAN, CREDITED
37 SERVICE SHALL ACCRUE AND ANY PREVIOUS RETIREMENT DEFERRAL ELECTION SHALL
38 BE VOID.

39
40 SECTION 4. *And be it further enacted*, That this Ordinance shall take effect 45 days
41 from the date it becomes law.