

PROPOSED

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2024, Legislative Day No. 10

Bill No. 49-24

Introduced by Ms. Pickard, Chair
(by request of the County Executive)

By the County Council, May 6, 2024

Introduced and first read on May 6, 2024
Public Hearing set for June 3, 2024
Bill Expires August 9, 2024

By Order: Kaley Schultze, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Personnel – Employee Retirement Savings
2 Plan – Contractual School Health Employees

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4 FOR the purpose of allowing certain contractual school health employees to participate in
5 the County’s Employee Retirement Savings Plan; and generally relating to personnel.

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7 BY repealing and reenacting, with amendments: § 6-6-103(a) and (b)
8 Anne Arundel County Code (2005, as amended)

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10 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
11 That Section(s) of the Anne Arundel County Code (2005, as amended) read as follows:

ARTICLE 6. PERSONNEL

TITLE 6. EMPLOYEE RETIREMENT SAVINGS PLAN

6-6-103. Eligibility.

(a) Eligible employees.

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21 (1) Any employee hired in any position eligible to participate in the Employees’
22 Retirement Plan under Article 5, Title 3 of this Code, on or after July 1, 2018, and not
23 deemed ineligible under subsection (b), shall have the option to elect irrevocably to
24 participate in either the Employees’ Retirement Plan or the plan within 30 days of the

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

1 employee's date of employment, in accordance with the guidelines and procedures
2 established by the County.

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4 (2) Other than an exempt employee or an elected official, any employee who is a
5 non-vested member of the Employees' Retirement Plan as of July 1, 2018, who was hired
6 on or after December 1, 2014, and who remains employed in an eligible capacity on July
7 1, 2018, and not deemed ineligible under subsection (b), shall have the option, during the
8 period from July 1, 2018, through and including December 31, 2018, to elect irrevocably
9 to cease participation in the Employees' Retirement Plan and participate in the plan, in
10 accordance with the guidelines and procedures established by the County.

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12 (3) An exempt employee or an elected official who is a non-vested member of the
13 Employees' Retirement Plan as of December 3, 2018, who was hired on or after December
14 1, 2014, who remains employed in an eligible capacity on December 3, 2018, and who is
15 not deemed ineligible under subsection (b), shall have the option, during the period from
16 December 3, 2018, through and including December 31, 2018, to elect irrevocably to cease
17 participation in the Employees' Retirement Plan and participate in the plan in accordance
18 with the guidelines and procedures established by the County.

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20 (4) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (4)(II), ANY PERSON CLASSIFIED
21 BY THE COUNTY AS A TEMPORARY OR CONTRACTUAL EMPLOYEE OF THE COUNTY, AS
22 DETERMINED BY THE COUNTY, UNDER § 802(A)(14) AND (17) OF THE CHARTER IN THE
23 POSITION OF SCHOOL HEALTH RN1, SCHOOL LICENSED PRACTICAL NURSE, SCHOOL
24 HEALTH ASSISTANT, OR SCHOOL SPECIAL NEEDS AIDE SHALL HAVE THE OPTION TO ELECT
25 TO PARTICIPATE IN THE PLAN WITHIN 30 DAYS OF THE EMPLOYEE'S DATE OF
26 EMPLOYMENT.

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28 (II) A PERSON DESCRIBED IN SUBPARAGRAPH (4)(I) AS OF THE EFFECTIVE DATE
29 OF BILL NO. 49-24 SHALL HAVE 60 DAYS FROM THE EFFECTIVE DATE OF BILL NO.
30 49-24 TO ELECT TO PARTICIPATE IN THE PLAN IN ACCORDANCE WITH THE GUIDELINES AND
31 PROCEDURES ESTABLISHED BY THE COUNTY.

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33 (b) **Ineligible employees.** The following individuals are not eligible to participate in
34 the plan:

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36 (1) EXCEPT AS PROVIDED IN PARAGRAPH (A)(4), any person classified by the
37 [[county]] COUNTY as a temporary or contractual employee of the County, as determined
38 by the County, under § 802(a)(14) and (17) of the Charter;

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40 (2) any employee working less than 50% of the amount of time specified for the
41 position;

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43 (3) any employee of the Anne Arundel Soil Conservation District;

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45 (4) any employee of the Public Library Association of Annapolis and Anne Arundel
46 County, Inc. in positions eligible for any State pension or retirement plan;

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48 (5) any employee of the Domestic Relations Division of the Circuit Court for Anne
49 Arundel County; and (6) EXCEPT AS PROVIDED IN PARAGRAPH (A)(4), any other employee
50 who is excluded from participation in the Employees' Retirement Plan.

1 (c) **Break in eligibility.** A participant who ceases to be an eligible employee for any
2 reason and who subsequently becomes an eligible employee shall be eligible to participate
3 in the plan on the first day the employee again becomes an eligible employee.
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5 SECTION 2. *And be it further enacted,* That all references in this Ordinance to “the
6 effective date of Bill No. 49-24”, or words to that effect, shall, upon codification, be
7 replaced with the actual date on which this Ordinance takes effect under Section 307 of the
8 County Charter as certified by the Administrative Officer to the County Council.
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10 SECTION 3. *And be it further enacted,* That this Ordinance shall take effect 45 days
11 from the date it becomes law.