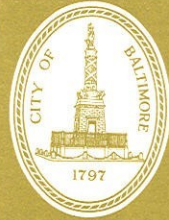


CITY OF BALTIMORE

SHEILA DIXON, Mayor



DEPARTMENT OF LAW

GEORGE A. NILSON, City Solicitor  
101 City Hall  
Baltimore, Maryland 21202

December 3, 2009

The Honorable President and Members  
of the Baltimore City Council  
Attn: Karen Randle, Executive Secretary  
Room 409, City Hall  
100 N. Holliday Street  
Baltimore, Maryland 21202

Re: City Council Bill 09-0403– Fire and Police Employee’s Retirement  
System – 100% Line of Duty Disability Benefits

Dear Madame President and City Council Members:

The Law Department has reviewed City Council Bill 09-0403 for form and legal sufficiency. The bill would change the language in Section 34(f-2)(1) of Article 22, Retirement Benefits, in the Baltimore City Code to increase the benefit to a member of the Fire or Police Departments to whom a hearing examiner awards a 100% line-of-duty disability benefit, by allowing that officer to receive the lump-sum refund of his or her contributions *and* a pension of 100% of his or her current regular compensation upon retirement. Presently, the law caps the total amount received (refunds plus pension) for line-of-duty disability benefits to 100% of the current regular compensation at the time of retirement.

It is within the power of the City Council to increase the line-of-duty disability benefits for officers. Moreover, the law is not retroactive, but is instead clear that it would increase only the prospective benefits received by the officers currently receiving line-of-duty disability benefits. The Law Department therefore approves the bill for form and legal sufficiency.

Very truly yours,

  
Hilary Ruley  
Assistant Solicitor

cc: George Nilson, City Solicitor  
Angela C. Gibson, Mayor’s Legislative Liaison  
Elena DiPietro, Chief Solicitor  
Ashlea Brown, Special Assistant Solicitor

