
CITY OF BALTIMORE

BRANDON M. SCOTT
Mayor



DEPARTMENT OF LAW
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SUITE 101, CITY HALL
BALTIMORE, MD 21202

April 10, 2025

The Honorable President and Members
of the Baltimore City Council
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 25-0042 – Retirement Savings Plan – Clarifying Amendment

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 25-0042 for form and legal sufficiency. The bill would delete the phrase “on the active payroll of” from Section 4-1(b)(1) of Article 22A of the City Code and substitute “receiving earnable compensation for any portion of a pay period from.” The term “earnable compensation” is a term of art in pension calculations. *See, e.g., Anenson & Gershberg, The Legal and Ethical Implications of Public Pension Reform: Analyzing the New Constitutional Cases*, 36 Notre Dame J.L. Ethics & Pub. Pol’y 117, 134 (2022) (“pension plans use an employee’s “earnable compensation” in the formula to calculate benefits”) (and cases cited therein).

The City has the power to create pension and retirement benefits for the officers and employees of the City and related entities and to “fix the terms of and restrictions on admission to such system and the classifications therein.” City Charter, Art. II, § (24). As this bill is in accordance with that power, the Law Department can approve it for form and legal sufficiency.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Hilary Ruley".

Hilary Ruley
Chief Solicitor

cc: Ebony M. Thompson, City Solicitor
Ty’lor Schnella, Mayor’s Office of Government Relations
Ashlea Brown, Chief Solicitor
Jeffrey Hochstetler, Chief Solicitor
Michele Toth, Assistant Solicitor
Desiree Lucky, Assistant Solicitor