

**CITY OF BALTIMORE
COUNCIL BILL 11-0768
(First Reader)**

Introduced by: Councilmembers Spector, Henry, Middleton, Holton, Curran, Cole, D'Adamo,
Kraft, Conaway, Welch, Clarke, President Young, Councilmember Branch

Introduced and read first time: August 15, 2011

Assigned to: Taxation, Finance and Economic Development Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Employees' Retirement System, Labor
Commissioner, Department of Finance

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Employees' Retirement System – 100% Survivorship Death Benefits**

3 FOR the purpose of extending the period between a member's death and his or her retirement
4 eligibility date in order to allow a beneficiary to receive a benefit equal to that which would
5 have been paid under a 100% survivorship benefit; providing for this modification to apply
6 with respect to all members dying on or after a certain date; and generally relating to the
7 Employees' Retirement System of Baltimore City.

8 BY repealing and reordaining, with amendments

9 Article 22 - Retirement Systems

10 Section(s) 9(o-1)(3)(i)

11 Baltimore City Code

12 (Edition 2000)

13 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
14 Laws of Baltimore City read as follows:

15 **Baltimore City Code**

16 **Article 22. Retirement Systems**

17 **Subtitle – Employees' Retirement System**

18 **§ 9. Class C membership.**

19 (o-1) *Non-line-of-duty death benefits.*

20 (3) *100% survivorship death benefit.*

- 21 (i) If the member would have been eligible for a normal service or early service
22 retirement not later than [90] 180 days after the date of the member's death and a
23 proper application is filed under subparagraph (v) of this paragraph (3), then the
24 Board of Trustees shall pay a benefit equal to that which would have been paid to
25 a surviving beneficiary under the 100% survivorship benefit of subsection

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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1 (m)(2)(C)(i)1. of this section had the member elected that survivorship benefit in
2 favor of that beneficiary and retired as of the date of death.

3 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance
4 are not law and may not be considered to have been enacted as a part of this or any prior
5 Ordinance.

6 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance applies to death benefits
7 payable on account of any member dying on or after July 1, 2011, whose beneficiaries file a
8 proper application under Article 22, § 9(o-1)(3)(v), within 60 days of the later of:

- 9 (a) the date of the member’s death; and
- 10 (b) the effective date of this Ordinance.

11 **SECTION 4. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
12 after the date it is enacted.