

CITY OF BALTIMORE

SHEILA DIXON, Mayor



DEPARTMENT OF LAW

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

March 27, 2009

The Honorable President and
Members of the Baltimore
City Council
c/o Karen Randle, Executive Secretary
409 City Hall
Baltimore, MD 21202

RE: City Council Bill 09-0295 – Fire and Police Employees'
Retirement System - Benefits

Dear President and Members

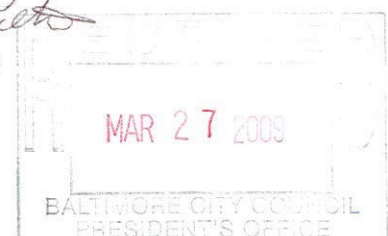
You have requested the advice of the Law Department regarding City Council Bill 09-0295. City Council Bill 295 amends the current provisions of the Fire and Police Retirement system law regarding Deferred Retirement Options Plans (DROP). The bill is designed to encourage officers to remain on the force after they have completed 20 years of service and to help recruit and maintain fire and police officers.

City Council Bill 09-0295 changes the DROP benefit in several significant ways. First, the bill provides that any member who qualifies for the existing DROP benefit as the effective date of this bill can apply for that benefit in lieu of the DROP benefit provided for in Bill 295. Those who do not qualify for the existing benefit as of the effective date of the bill will only be eligible for the DROP benefit provided for in the bill. Second, the Refresh Period for Police and Fire member will be different. Instead of 1.5 years, the Refresh period for Police will be 3.5 years and the Refresh period for Fire will be 5 years. In addition, the interest rate on DRPO accounts will change from 8.25% to 5%.

The Law Department has no legal concerns regarding the provisions of City Council Bill 09-0295. The Law Department therefore approves City Council Bill 09-0295 for form and legal sufficiency.

Sincerely yours,

Elena R. DiPietro
Chief Solicitor



cc: Honorable Stephanie Rawlings-Blake
Angela Gibson, City Council Liaison
George A. Nilson, City Solicitor
Deepa Bhattacharyya, Assistant Solicitor
Ashlea Brown, Assistant Solicitor
Hilary Ruley, Assistant Solicitor