

**CITY OF BALTIMORE  
COUNCIL BILL 09-0403  
(First Reader)**

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Introduced by: The Council President

At the request of: The Administration (Fire and Police Employees' Retirement System)

Introduced and read first time: October 5, 2009

Assigned to: Taxation, Finance and Economic Development Committee

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

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A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Fire and Police Employees' Retirement System –**  
3 **100% Line-of-Duty Disability Benefits**

4 FOR the purpose of increasing retirement benefits for members who retire on a 100% line-of-  
5 duty disability; providing special rules for the applicability of this benefit increase to  
6 members currently retired and receiving a 100% line-of-duty disability; providing for a  
7 special effective date; and generally relating to the Fire and Police Employees' Retirement  
8 System.

9 BY repealing and reordaining, with amendments

10 Article 22- Retirement Systems  
11 Section(s) 34(f-2)(1)  
12 Baltimore City Code  
13 (Edition 2000)

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

16 **Baltimore City Code**

17 **Article 22. Retirement Systems**

18 **Subtitle – Fire and Police Employees' Retirement System**

19 **§ 34. Benefits.**

20 (f-2) *Allowance on 100% line-of-duty disability retirement.*

21 (1) [Any] A member [who retires on] TO WHOM A HEARING EXAMINER AWARDS a 100%  
22 line-of-duty disability BENEFIT shall receive [a] ON retirement [allowance that  
23 consists of]:

24 (i) [an annuity that is the actuarial equivalent] A LUMP-SUM REFUND of the  
25 member's accumulated contributions [at the time of retirement]; [and] PLUS

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

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1 (ii) a pension [that, together with the annuity, equals] EQUAL TO 100% of the  
2 member's CURRENT regular compensation at the time of retirement.

3 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the increase in benefits established by this  
4 Ordinance applies to:

5 (a) all persons who, in accordance with City Code Article 22, § 34, retire on a 100% line-  
6 of-duty disability after the effective date of this Ordinance, and

7 (b) all persons who, on the effective date of this Ordinance, are currently receiving a  
8 100% line-of-duty disability retirement benefit under Article 22, § 34, which persons  
9 shall begin receiving their increased benefits prospectively from the effective date of  
10 this Ordinance.

11 **SECTION 3. AND BE IT FURTHER ORDAINED,** That as of the date of enactment of this  
12 Ordinance, any member currently receiving a 100% line-of-duty disability retirement benefit  
13 under Article 22, § 34, who has not received in annuity payments an amount equal to the total of  
14 her or his accumulated contributions as of her or his retirement date, shall receive a lump-sum  
15 refund of any remaining unpaid accumulated contributions.

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

19 **SECTION 4. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it  
20 is enacted.