

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 09-0403

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

Committee Report: Favorable
Council action: Adopted
Read second time: January 11, 2010

AN ORDINANCE CONCERNING

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

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

BY repealing and reordaining, with amendments
Article 22- Retirement Systems
Section(s) 34(f-2)(1)
Baltimore City Code
(Edition 2000)

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

Baltimore City Code

Article 22. Retirement Systems

Subtitle – Fire and Police Employees' Retirement System

§ 34. Benefits.

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

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

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from existing law by amendment.

Council Bill 09-0403

- 1 (i) [an annuity that is the actuarial equivalent] A LUMP-SUM REFUND of the
2 member's accumulated contributions [at the time of retirement]; [and] PLUS
3 (ii) a pension [that, together with the annuity, equals] EQUAL TO 100% of the
4 member's CURRENT regular compensation at the time of retirement.

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

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

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

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

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

Council Bill 09-0403

Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,
this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City