

**CITY OF BALTIMORE
COUNCIL BILL 07-0609
(First Reader)**

Introduced by: Councilmember Reisinger
Introduced and read first time: February 26, 2007
Assigned to: Taxation and Finance Committee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Fire and Police Employees' Retirement System – Transfers**

3 FOR the purpose of authorizing certain transfers of service previously acquired in a former
4 system; and generally relating to the Fire and Police Employees' Retirement System.

5 BY adding

6 Article 22 - Retirement Systems
7 Section(s) 32(g)(4)
8 Baltimore City Code
9 (Edition 2000)

10 BY repealing and reordaining, without amendments

11 Article 22 - Retirement Systems
12 Section(s) 32(i)(2)(C) - (E) and 32(k)(1)
13 Baltimore City Code
14 (Edition 2000)

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

17 **Baltimore City Code**

18 **Article 22. Retirement Systems**

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

20 **§ 32. Service creditable.**

21 (g) *Repurchase of previous Employees' Retirement System service.*

22 (4) (i) IN THIS PARAGRAPH, “UNIFORMED POSITION”, “FORMER SYSTEM”, “FIREMAN’S
23 POSITION”, AND “POLICEMAN’S POSITION” HAVE THE MEANINGS STATED IN
24 SUBSECTION (K)(1) OF THIS SECTION.

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

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1 (II) NOTWITHSTANDING ANYTHING TO THE CONTRARY IN THIS SUBTITLE, ANY
2 EMPLOYEE WHO IS IN A UNIFORMED POSITION OF THE FIRE AND POLICE
3 EMPLOYEES' RETIREMENT SYSTEM MAY TRANSFER SERVICE PREVIOUSLY
4 ACQUIRED IN A FORMER SYSTEM IN A FIREMAN'S POSITION OR POLICEMAN'S
5 POSITION UNDER THE TERMS OF § 32(I)(2)(C), (D), AND (E).

6 (i) *Transfers of service – Persons becoming members on or before June 30, 2003.*

7 (2) *Members joining on or after July 1, 1994, and on or before June 30, 2003.*

8 (C) If the member transfers service into this system from a system other than a
9 Baltimore City retirement system, the member shall pay for the transferred
10 service an amount equal to:

11 (i) the product of:

- 12 1. the member's actual earnable compensation for the position
13 covered by this system as of the member's date of entry into this
14 system, multiplied by
- 15 2. the number of years or part of a year of service to be transferred,
16 multiplied by
- 17 3. 12%, plus

18 (ii) interest on that product calculated at this system's current annuity savings
19 fund rate from the member's date of entry into this system to the date the
20 payment for the transfer of service is completed.

21 (D) The amount payable for transferred service may be made to this system by a
22 single payment or by an increased rate of contribution, but payment for the
23 transferred service must be completed before the earlier of:

- 24 (i) 10 years from the member's date of entry into this system; or
- 25 (ii) the member's retirement date.

26 (E) The transferred service shall be credited pro rata at the time each payment for the
27 service is made. In no event may credit be granted to a member for transferred
28 service for which payment has not been received before the member's retirement.

29 (k) *Transfers of service – Persons becoming members on or after July 1, 2003.*

30 (1) *Definitions.*

31 (i) In this subsection, the following words have the meanings indicated.

32 (ii) "Former system" means an actuarially funded contributory or non-contributory
33 federal, state, or local governmental defined benefit retirement or pension system
34 located within the United States.

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1 (iii) "Uniformed position" means a fireman's or policeman's position held by a
2 transferring employee.

3 (iv) "Fireman's position" means a position held by an employee of a federal, state, or
4 local fire department whose services bear a substantial and direct relationship to
5 extinguishing fires or protecting lives or property endangered by fires.

6 (v) "Policeman's position" means a position held by an employee of a federal, state,
7 or local law enforcement agency who is regularly engaged in enforcing the public
8 peace and whose duties include the power of arrest.

9 (vi) "Civilian position" means a position held by a transferring employee that was not
10 a uniformed position.

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

14 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
15 after the date it is enacted.