



BRANDON M. SCOTT
MAYOR

*100 Holliday Street, Room 250
Baltimore, Maryland 21202*

November 30, 2022

The Honorable Nick J. Mosby
President, Baltimore City Council
Attn: Natawna Austin, Executive Secretary
Room 409, City Hall
100 Holliday Street
Baltimore, MD 21202

Re: City Council Bill 22-0292 – Elected Officials’ Retirement System – Benefits – Eligibility

Dear Honorable President Mosby,

Enactment of City Council Bill 22-0292 would change the eligibility for active members of the Elected Officials Retirement System (EOS) from 12 years of service to 8 years of service. The EOS provides retirement benefits to all members of the City Council, the President of the City Council, the Comptroller, and the Mayor. This change was introduced as being responsive to the potential passage of Question K on the 2022 general election ballot which establishes term limits for Baltimore City elected officials.

Question K, as passed, does not prevent any current City Council member from serving the full 12 years of service currently required to receive full benefits of the Elected Officials’ Retirement System. The ballot measure goes into effect with the next election cycle for Baltimore City elected officials and would allow an elected official to serve two full terms beginning in December 2024. This means that any current city council member would be eligible to serve two full terms in addition to the years of service they have leading up to the end of this current term. Given that day one of the two-term limit does not begin until Question K goes into effect in December 2024, there is no true urgency to act at this time. Therefore, after careful consideration, I have chosen to veto City Council Bill 22-0292 pursuant to Article IV, Section 5 of the Baltimore City Charter.

As a public servant, maintaining public trust is paramount to my ability to perform the duties of my office. When I took my oath of office as a Baltimore City elected official, I swore to execute my duties without partiality or prejudice. All elected officials who participate in the Elected Officials’ Retirement System took this same oath when they entered office. Furthermore, Baltimore City Ethics Law states that, “a public servant may not participate in and must disqualify himself of herself from any matter if...the public servant has an interest in the matter of which the public servant might reasonably be expected to know.”¹ This bill could authorize a change in the vesting date for currently serving elected officials allowing them to fully vest earlier than they would have under existing law.

¹ Baltimore City Code, Art. 8, §6-6

Given the potential for ethical issues with the bill, and the need for adequate time to perform due diligence in providing a full comprehensive cost analysis and to provide recommendations for cost-effective alternatives to the legislation, it is my duty as a public servant to consider the advice of our expert agency heads and make the decision that is in the City's best interest. At this time, therefore, I cannot in good conscience sign City Council Bill 22-0292 into law without the benefit of a complete and thorough analysis.

I will make myself and my staff available to you if you would like to discuss this matter further.

In service,



Brandon M. Scott
Mayor, Baltimore City