

Introduced \_\_\_\_\_  
Public Hearing \_\_\_\_\_  
Council Action \_\_\_\_\_  
Executive Action \_\_\_\_\_  
Effective Date \_\_\_\_\_

## County Council of Howard County, Maryland

2021 Legislative Session

Legislative Day No. 1

### Bill No. 5-2021

Introduced by: The Chairperson at the request of the County Executive

AN ACT amending the Howard County Retirement Plan in order to create a Deferred Retirement Option Program for Participating Corrections Employees (Corrections DROP); defining certain terms; establishing certain deadlines; setting forth the eligibility for Corrections DROP to include certain employees of the Department of Corrections; providing for the term of Corrections DROP participation; providing for the termination of participation in Corrections DROP; requiring that certain accounts be established and maintained; setting forth provisions related to the disability, death, or retirement of Corrections DROP participants; and generally relating to the Howard County Retirement Plan.

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Introduced and read first time \_\_\_\_\_, 2021. Ordered posted and hearing scheduled.

By order \_\_\_\_\_  
Diane Schwartz Jones, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on \_\_\_\_\_, 2021.

By order \_\_\_\_\_  
Diane Schwartz Jones, Administrator

This Bill was read the third time on \_\_\_\_\_, 2021 and Passed \_\_\_\_, Passed with amendments \_\_\_\_\_, Failed \_\_\_\_\_.

By order \_\_\_\_\_  
Diane Schwartz Jones, Administrator

Sealed with the County Seal and presented to the County Executive for approval this \_\_\_ day of \_\_\_\_\_, 2021 at \_\_\_ a.m./p.m.

By order \_\_\_\_\_  
Diane Schwartz Jones, Administrator

Approved/Vetoed by the County Executive \_\_\_\_\_, 2021

\_\_\_\_\_  
Calvin Ball, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; ~~Strike-out~~ indicates material deleted by amendment; Underlining indicates material added by amendment

1 **Section 1. Be It Enacted** by the County Council of Howard County, Maryland that the Howard  
2 County Code is amended as follows:

- 3  
4 1. *By adding:*  
5 *Title 1 – Human Resources*  
6 *Section 1.438 Deferred Retirement Option Program for Participating Corrections*  
7 *Employees*

8  
9 **Title 1. Human Resources.**

10 **Subtitle 4. Howard County Retirement Plan.**

11 **Article III. Trust Fund.**

12  
13 **SECTION 1.438. DEFERRED RETIREMENT OPTION PROGRAM.**

14 (A) *DEFINITIONS.* IN THIS SECTION, THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED:

- 15 (1) *APPLICABLE INTEREST RATE* MEANS THE ASSUMED RATE OF RETURN (NET OF  
16 INVESTMENT EXPENSES) ON THE PLAN’S INVESTMENTS (“INVESTMENT RETURN  
17 RATE”) AS MOST RECENTLY ADOPTED BY THE RETIREMENT PLAN COMMITTEE MINUS  
18 4.0%; PROVIDED THAT THE APPLICABLE INTEREST RATE SHALL NOT BE LESS THAN  
19 1.5%. CHANGES TO THE APPLICABLE INTEREST RATE WILL BECOME EFFECTIVE ON  
20 THE JULY 1 THAT NEXT FOLLOWS THE ADOPTION OF THE CHANGE IN THE INVESTMENT  
21 RETURN RATE.
- 22 (2) *CORRECTIONS DROP* MEANS THE DEFERRED RETIREMENT OPTION PROGRAM  
23 ESTABLISHED UNDER THIS SECTION 1.438, PURSUANT TO WHICH A PARTICIPATING  
24 CORRECTIONS EMPLOYEE AGREES TO DELAY RECEIPT OF RETIREMENT BENEFITS  
25 WHILE HE OR SHE CONTINUES TO WORK.
- 26 (3) *CORRECTIONS DROP ACCOUNT* MEANS THE ACCOUNT ESTABLISHED FOR A  
27 CORRECTIONS DROP PARTICIPANT IN ACCORDANCE WITH SUBSECTION (H) INTO  
28 WHICH THE RETIREMENT BENEFITS PLUS INTEREST ARE CREDITED WHILE THE  
29 PARTICIPANT CONTINUES TO WORK FOR THE COUNTY.
- 30 (4) *CORRECTIONS DROP EFFECTIVE DATE* MEANS JULY 1, 2021.

1 (5) *CORRECTIONS DROP PARTICIPANT* MEANS A PARTICIPATING CORRECTIONS  
2 EMPLOYEE AS DEFINED IN SECTION 1.406(AK) WHO IS ELIGIBLE AND WHO ELECTS TO  
3 PARTICIPATE IN CORRECTIONS DROP.

4 (6) *CORRECTIONS DROP PARTICIPATION PERIOD* MEANS THE TIME DURING WHICH A  
5 PARTICIPANT PARTICIPATES IN CORRECTIONS DROP WHILE ACTIVELY EMPLOYED BY  
6 THE COUNTY. CORRECTIONS DROP PARTICIPATION PERIODS MAY BEGIN ON THE  
7 FIRST DAY OF ANY MONTH ON OR AFTER JULY 1, 2021.

8 (B) *ELIGIBILITY.*

9 (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION (B), A PARTICIPATING  
10 CORRECTIONS EMPLOYEE IS ELIGIBLE TO PARTICIPATE IN CORRECTIONS DROP IF  
11 THE PARTICIPATING CORRECTIONS EMPLOYEE HAS COMPLETED AT LEAST 20 YEARS  
12 OF CREDITABLE SERVICE.

13 (2) A PARTICIPATING CORRECTIONS EMPLOYEE WHO, ON JULY 1, 2021 HAS ACCRUED 33  
14 OR MORE YEARS OF CREDITABLE SERVICE MAY ELECT TO ENTER CORRECTIONS  
15 DROP FOR A PARTICIPATION PERIOD OF TWO YEARS, WHICH WILL BEGIN ON  
16 OCTOBER 1, 2021 AND END ON SEPTEMBER 30, 2023.

17 (3) FOR PURPOSES OF THIS SUBSECTION, YEARS OF CREDITABLE SERVICE ATTRIBUTABLE  
18 TO UNUSED DISABILITY LEAVE THAT MAY OTHERWISE BE CREDITED PURSUANT TO  
19 SECTION 1.428(J) SHALL NOT BE COUNTED. ALL OTHER YEARS OF CREDITABLE  
20 SERVICE ARE COUNTED FOR PURPOSES OF THIS SUBSECTION.

21 (C) *TERM OF CORRECTIONS DROP PARTICIPATION.* THE TERM OF CORRECTIONS DROP  
22 PARTICIPATION SHALL BE DETERMINED BY THE CORRECTIONS DROP PARTICIPANT; PROVIDED,  
23 HOWEVER, THAT THE MINIMUM CORRECTIONS DROP PARTICIPATION PERIOD IS TWO YEARS AND THE  
24 MAXIMUM CORRECTIONS DROP PARTICIPATION PERIOD IS FIVE YEARS. A PARTICIPANT WHO ENTERS  
25 CORRECTIONS DROP BUT DOES NOT COMPLETE THE MINIMUM PARTICIPATION PERIOD OF TWO  
26 YEARS BEFORE HIS OR HER TERMINATION DATE SHALL HAVE HIS OR HER RETIREMENT INCOME  
27 RECALCULATED AS IF HE OR SHE NEVER ENTERED CORRECTIONS DROP. IN SUCH A CASE, THE  
28 PARTICIPANT'S CORRECTIONS DROP ACCOUNT WILL BE ZERO DOLLARS.

29 (D) *APPLICATION.* AN ELIGIBLE PARTICIPATING CORRECTIONS EMPLOYEE WHO ELECTS TO  
30 PARTICIPATE IN CORRECTIONS DROP SHALL:

- 1 (1) COMPLETE AND SUBMIT A WRITTEN ELECTION TO THE COORDINATOR ON A FORM  
2 APPROVED BY OR ACCEPTABLE TO THE RETIREMENT PLAN COMMITTEE, STATING:
- 3 (I) THE PARTICIPANT'S INTENTION TO PARTICIPATE IN CORRECTIONS DROP;  
4 (II) THE DATE WHEN THE PARTICIPANT INTENDS TO BEGIN TO PARTICIPATE IN  
5 CORRECTIONS DROP; AND  
6 (III) SUCH OTHER INFORMATION REQUIRED BY THE RETIREMENT PLAN  
7 COMMITTEE TO IMPLEMENT CORRECTIONS DROP WITH RESPECT TO THE  
8 PARTICIPANT.  
9 (IV) SUBMIT THE APPLICATION TO THE COORDINATOR BETWEEN 90 AND 30 DAYS  
10 PRIOR TO THE DATE THE PARTICIPANT INTENDS TO BEGIN TO PARTICIPATE IN  
11 CORRECTIONS DROP.
- 12 (2) A PARTICIPATING CORRECTIONS EMPLOYEE WHO, AS OF JULY 1, 2021, HAS ACCRUED  
13 33 OR MORE YEARS OF CREDITABLE SERVICE AND ELECTS TO PARTICIPATE IN  
14 CORRECTIONS DROP SHALL SUBMIT AN APPLICATION TO THE COORDINATOR NO  
15 LATER THAN AUGUST 15, 2021.
- 16 (E) *TERMINATION OF PARTICIPATION.* PARTICIPATION IN CORRECTIONS DROP TERMINATES IF THE  
17 CORRECTIONS DROP PARTICIPANT:
- 18 (1) REACHES A TERMINATION DATE BY REASON OF DEATH, DISABILITY OR TERMINATION  
19 OF EMPLOYMENT;  
20 (2) EXCEPT AS PROVIDED IN SUBSECTION (B)(2), ACCRUES 35 YEARS OF CREDITABLE  
21 SERVICE, OR  
22 (3) REACHES THE FIFTH ANNIVERSARY OF HIS OR HER CORRECTIONS DROP  
23 PARTICIPATION DATE.
- 24 (F) *TERMINATION OF CORRECTIONS DROP PARTICIPATION PERIOD.*
- 25 (1) A CORRECTIONS DROP PARTICIPANT SHALL PROVIDE AT LEAST 18 MONTHS'  
26 WRITTEN NOTICE TO THE COORDINATOR OF HIS OR HER INTENT TO TERMINATE  
27 EMPLOYMENT AND END THE CORRECTIONS DROP PARTICIPATION PERIOD PRIOR TO  
28 THE DATE HE OR SHE ACCRUES 35 YEARS OF CREDITABLE SERVICE OR REACHES THE  
29 FIFTH ANNIVERSARY OF HIS OR HER CORRECTIONS DROP PARTICIPATION DATE.  
30 THIS NOTICE SHALL BE IRREVOCABLE 60 DAYS AFTER THE COORDINATOR RECEIVES  
31 THE NOTICE.

1           (2)    *TERMINATION OF CORRECTIONS DROP PARTICIPATION.* THE TERMINATION DATE OF A  
2           CORRECTIONS DROP PARTICIPANT SHALL BE THE LAST DAY OF HIS OR HER  
3           CORRECTIONS DROP PARTICIPATION PERIOD. THE CORRECTIONS DROP  
4           PARTICIPANT WILL BEGIN RECEIVING A RETIREMENT BENEFIT AS OF THE FIRST DAY  
5           OF THE MONTH FOLLOWING THE END OF THE CORRECTIONS DROP PARTICIPATION  
6           PERIOD. THE TERMINATION DATE OF A PARTICIPANT WHO FAILS TO SUBMIT THE  
7           DOCUMENTS REQUESTING RETIREMENT SHALL BE THE DATE HE OR SHE ACCRUES 35  
8           YEARS OF CREDITABLE SERVICE OR REACHES THE FIFTH ANNIVERSARY OF HIS OR HER  
9           CORRECTIONS DROP PARTICIPATION DATE.

10          (3)    *PENALTY FOR EARLY TERMINATION.* A CORRECTIONS DROP PARTICIPANT WHO HAS  
11          COMPLETED TWO YEARS OF CORRECTIONS DROP PARTICIPATION AND TERMINATES  
12          EMPLOYMENT PRIOR TO COMPLETION OF THE 18 MONTH PERIOD PROVIDED IN THE  
13          NOTICE DESCRIBED IN SUBSECTION (F)(1) OF THIS SECTION SHALL FORFEIT THE  
14          INTEREST ACCRUED IN A NUMBER OF PREVIOUS MONTHS. THE NUMBER OF MONTHS  
15          OF INTEREST FORFEITED IS EQUAL TO THE LESSER OF (A) 12 MONTHS OR (B) 18 MINUS  
16          THE NUMBER OF FULL CALENDAR MONTHS ACTUALLY SERVED AFTER WRITTEN  
17          NOTICE OF INTENT TO TERMINATE EMPLOYMENT AND END THE CORRECTIONS DROP  
18          PARTICIPATION PERIOD WAS PROVIDED TO THE COORDINATOR. IF A CORRECTIONS  
19          DROP PARTICIPANT FAILS TO GIVE ANY NOTICE, THE INTEREST PENALTY SHALL BE  
20          12 MONTHS. THERE SHALL BE NO PENALTY UNDER THIS SUBSECTION (F)(3) WITH  
21          RESPECT TO A CORRECTIONS DROP PARTICIPANT WHO (1) TERMINATES  
22          CORRECTIONS DROP ON THE DATE HE OR SHE ACCRUES 35 YEARS OF CREDITABLE  
23          SERVICE OR REACHES THE FIFTH ANNIVERSARY OF HIS OR HER CORRECTIONS DROP  
24          PARTICIPATION DATE OR (2) IS SUBJECT TO AN INVOLUNTARY TERMINATION OF  
25          EMPLOYMENT.

26          (4)    *EXTENSION OF PARTICIPATION.* A CORRECTIONS DROP PARTICIPANT WHO HAS  
27          DECLARED HIS OR HER WRITTEN INTENT TO TERMINATE EMPLOYMENT AND END HIS  
28          OR HER CORRECTIONS DROP PARTICIPATION MAY REQUEST A ONE-TIME EXTENSION  
29          OF NOT MORE THAN SIX MONTHS. APPROVAL OF THE EXTENSION SHALL BE AT THE  
30          DISCRETION OF THE COUNTY EXECUTIVE OR HIS OR HER DESIGNEE. NO EXTENSION

1 SHALL EXTEND THE LENGTH OF CORRECTIONS DROP PARTICIPATION TO MORE THAN  
2 FIVE YEARS.

3 (G) *STATUS DURING PARTICIPATION.*

4 (1) *PLAN PARTICIPANT:* A CORRECTIONS DROP PARTICIPANT WILL REMAIN A  
5 PARTICIPANT IN THE PLAN UNTIL THE LAST DAY OF HIS OR HER CORRECTIONS DROP  
6 PARTICIPATION PERIOD.

7 (2) *APPLICATION OF COST OF LIVING ADJUSTMENTS:* DURING THE CORRECTIONS DROP  
8 PARTICIPATION PERIOD, THE MONTHLY RETIREMENT INCOME OF CORRECTIONS  
9 DROP PARTICIPANTS, WHICH IS ACCUMULATED IN THEIR CORRECTIONS DROP  
10 ACCOUNTS, WILL NOT BE SUBJECT TO COST OF LIVING ADJUSTMENTS UNDER SECTION  
11 1.435.

12 (3) A CORRECTIONS DROP PARTICIPANT WILL NOT ACCRUE CREDIT FOR YEARS OF  
13 CREDITABLE SERVICE DURING THE PERIOD OF CORRECTIONS DROP PARTICIPATION.

14 (4) A CORRECTIONS DROP PARTICIPANT'S COMPENSATION DURING THE CORRECTIONS  
15 DROP PARTICIPATION PERIOD SHALL NOT BE USED TO INCREASE THE CORRECTIONS  
16 DROP PARTICIPANT'S AVERAGE COMPENSATION.

17 (5) DURING THE PERIOD OF A CORRECTIONS DROP PARTICIPANT'S PARTICIPATION IN  
18 CORRECTIONS DROP, THE CORRECTIONS DROP PARTICIPANT SHALL CONTINUE TO  
19 BE ELIGIBLE TO PARTICIPATE IN ANY HEALTH AND WELFARE PLAN OR DEFERRED  
20 COMPENSATION PLAN, AND RECEIVE ANY OTHER BENEFITS OTHERWISE AVAILABLE  
21 TO COUNTY EMPLOYEES WHO ARE CORRECTIONS EMPLOYEES AND SHALL CONTINUE  
22 TO BE SUBJECT TO THE PERSONNEL LAWS, REGULATIONS AND POLICIES APPLICABLE  
23 TO CORRECTIONS EMPLOYEES.

24 (H) *CORRECTIONS DROP ACCOUNT.*

25 (1) AS OF THE EFFECTIVE DATE OF PARTICIPATION IN CORRECTIONS DROP, THE  
26 COORDINATOR SHALL ESTABLISH AND MAINTAIN A CORRECTIONS DROP ACCOUNT  
27 FOR EACH CORRECTIONS DROP PARTICIPANT. THE CORRECTIONS DROP ACCOUNT  
28 IS MAINTAINED SOLELY FOR PURPOSES OF ACCOUNTING FOR THE CORRECTIONS  
29 DROP PARTICIPANT'S BENEFIT FROM CORRECTIONS DROP. THE RETIREMENT PLAN  
30 COMMITTEE SHALL BE UNDER NO OBLIGATION TO SEGREGATE FUNDS FROM THE  
31 TRUST FOR THE PARTICIPANT'S CORRECTIONS DROP ACCOUNT.

1 (2) DURING THE PERIOD OF THE CORRECTIONS DROP PARTICIPANT'S PARTICIPATION IN  
2 CORRECTIONS DROP, THE COORDINATOR SHALL CREDIT EACH MONTH THE  
3 FOLLOWING AMOUNTS TO THE CORRECTIONS DROP PARTICIPANT'S CORRECTIONS  
4 DROP ACCOUNT:

5 (I) THE CORRECTIONS DROP PARTICIPANT'S MONTHLY RETIREMENT INCOME  
6 DETERMINED PURSUANT TO SECTION 1.428, AS OF THE PARTICIPANT'S  
7 CORRECTIONS DROP PARTICIPATION DATE WITHOUT THE ADJUSTMENT FOR  
8 UNUSED DISABILITY LEAVE PURSUANT TO SUBSECTION 1.428(J), AND  
9 WITHOUT ADJUSTMENT FOR COST OF LIVING INCREASES PROVIDED TO  
10 RETIREES UNDER SECTION 1.435 OF THIS SUBTITLE.

11 (II) INTEREST ON THE AMOUNT DESCRIBED IN SUB-PARAGRAPH A IN  
12 ACCORDANCE WITH THE FOLLOWING RULES:

13 A. INTEREST COMPOUNDED MONTHLY, BUT WITH AN EFFECTIVE ANNUAL  
14 RATE EQUAL TO THE APPLICABLE INTEREST RATE WILL BE APPLIED TO  
15 THE BALANCE OF THE CORRECTIONS DROP ACCOUNT AS OF THE LAST  
16 DAY OF EACH MONTH DURING THE CORRECTIONS DROP  
17 PARTICIPATION PERIOD.

18 B. NO INTEREST WILL BE APPLIED TO ADDITIONS TO THE ACCOUNT MADE  
19 DURING THE CURRENT CALENDAR MONTH.

20 (3) *STATEMENT OF ACCOUNT BALANCE.* AT LEAST ONCE A YEAR, THE COORDINATOR  
21 SHALL PROVIDE TO A *CORRECTIONS DROP PARTICIPANT* A STATEMENT OF THE  
22 ACCOUNT BALANCE CREDITED TO THE *CORRECTIONS DROP ACCOUNT* AS DESCRIBED  
23 IN PARAGRAPH (2).

24 (I) *DISABILITY DURING CORRECTIONS DROP PARTICIPATION.* IF DURING THE PERIOD OF A  
25 CORRECTIONS DROP PARTICIPANT'S PARTICIPATION IN CORRECTIONS DROP, THE PARTICIPANT  
26 REACHES A TERMINATION DATE BY REASON OF TOTAL AND PERMANENT DISABILITY IN ACCORDANCE  
27 WITH SECTION 1.431, THE PARTICIPANT, INDIVIDUALLY, OR BY A REPRESENTATIVE IF THE  
28 PARTICIPANT IS UNABLE TO MAKE AN ELECTION DUE TO THE DISABILITY, MAY ELECT TO RECEIVE  
29 ONE OF THE FOLLOWING BENEFITS:

30 (1) THE BENEFIT CALCULATED PURSUANT TO SECTION 1.431, BASED UPON THE  
31 PARTICIPANT'S ACTUAL YEARS OF CREDITABLE SERVICE, IF APPLICABLE, AND

1 AVERAGE COMPENSATION EARNED THROUGH THE TERMINATION DATE AND  
2 CALCULATED AS IF THE CORRECTIONS DROP PARTICIPANT HAD NOT ELECTED TO  
3 PARTICIPATE IN CORRECTIONS DROP. A CORRECTIONS DROP PARTICIPANT WHO  
4 ELECTS THE BENEFIT PROVIDED FOR IN THIS SUBSECTION (I)(1) WILL FORFEIT HIS OR  
5 HER CORRECTIONS DROP ACCOUNT; OR

6 (2) THE SUM OF:

7 (I) THE BALANCE OF THE PARTICIPANT'S CORRECTIONS DROP ACCOUNT AS OF  
8 THE PARTICIPANT'S TERMINATION DATE, PAID IN THE FORM DESCRIBED IN  
9 SUBSECTION 1.438(K)(2)A. OR 1.438(K)(2)B., PLUS

10 (II) THE MONTHLY BENEFIT CALCULATED PURSUANT TO SECTION 1.431, BASED  
11 UPON THE PARTICIPANT'S ACTUAL YEARS OF CREDITABLE SERVICE, IF  
12 APPLICABLE AND AVERAGE COMPENSATION EARNED THROUGH THE DAY  
13 BEFORE HE OR SHE BECAME A CORRECTIONS DROP PARTICIPANT.

14 (J) *DEATH DURING CORRECTIONS DROP PARTICIPATION.*

15 (1) IF DURING THE PERIOD OF A CORRECTIONS DROP PARTICIPANT'S PARTICIPATION IN  
16 CORRECTIONS DROP, THE PARTICIPANT REACHES A TERMINATION DATE BY REASON  
17 OF DEATH, ONE OF THE FOLLOWING BENEFITS WILL BE PAID:

18 (I) THE PARTICIPANT'S BENEFICIARY WILL RECEIVE:

- 19 A. THE GENERAL BENEFIT DESCRIBED IN SUBSECTION 1.439(A)(1), PLUS
- 20 B. ONE HUNDRED PERCENT OF THE BALANCE OF THE PARTICIPANT'S  
21 CORRECTIONS DROP ACCOUNT AS OF THE CORRECTIONS DROP  
22 PARTICIPANT'S TERMINATION DATE, PAID IN THE FORM DESCRIBED IN  
23 SUBSECTION 1.438(K)(2)A. OR 1.438(K)(2)B., OR

24 (II) THE PARTICIPANT'S SURVIVING SPOUSE OR SURVIVING CHILDREN, AS  
25 APPLICABLE, WILL RECEIVE:

- 26 A. ONE HUNDRED PERCENT OF THE BALANCE OF THE PARTICIPANT'S  
27 CORRECTIONS DROP ACCOUNT AS OF THE CORRECTIONS DROP  
28 PARTICIPANT'S TERMINATION DATE, PAID IN THE FORM DESCRIBED IN  
29 SUBSECTION 1.438(K)(2)A. OR 1.438(K)(2)B., PLUS
- 30 B. THE MONTHLY BENEFIT DETERMINED PURSUANT TO SUBSECTION  
31 1.439(A)(2) OR 1.439(B) BASED UPON THE PARTICIPANT'S ACTUAL



1 YEARS OF CREDITABLE SERVICE AND AVERAGE COMPENSATION  
2 EARNED THROUGH THE DATE OF DEATH AND CALCULATED AS IF THE  
3 CORRECTIONS DROP PARTICIPANT HAD NOT ELECTED TO  
4 PARTICIPATE IN CORRECTIONS DROP.

5 (III) BENEFITS WILL BE PAID TO THE CORRECTIONS DROP PARTICIPANT'S  
6 SURVIVING SPOUSE OR SURVIVING CHILDREN ONLY TO THE EXTENT THE  
7 REQUIREMENTS OF SUBSECTIONS 1.439(A)(2) AND 1.439(B)(2) OR  
8 1.439(B)(3) ARE MET. IF THE REQUIREMENTS OF SUBSECTIONS 1.439(A)(2)  
9 AND 1.439(B)(2) OR 1.439(B)(3) ARE NOT MET, THE CORRECTIONS DROP  
10 PARTICIPANT'S SURVIVING SPOUSE OR SURVIVING CHILDREN, AS APPLICABLE,  
11 WILL RECEIVE THE BENEFIT DESCRIBED IN SUBSECTION (J)(1).

12 (K) *RETIREMENT BENEFITS OF CORRECTIONS DROP PARTICIPANTS.* ON THE FIRST DAY OF THE MONTH  
13 FOLLOWING THE CORRECTIONS DROP PARTICIPANT'S TERMINATION DATE, THE CORRECTIONS  
14 DROP PARTICIPANT, OR THE CORRECTIONS DROP PARTICIPANT'S BENEFICIARY, IF THE  
15 PARTICIPANT HAS DIED BEFORE BENEFITS COMMENCE, SHALL BE ENTITLED TO RECEIVE THE  
16 FOLLOWING BENEFITS UNDER THE PLAN:

17 (1) *MONTHLY INCOME.* A MONTHLY RETIREMENT INCOME DETERMINED IN ACCORDANCE  
18 WITH SECTION 1.428 OR 1.442, ADJUSTED FOR UNUSED DISABILITY LEAVE, PURSUANT  
19 TO SUBSECTION 1.428(J).

20 (2) *CORRECTIONS DROP PAYMENT.* THE AMOUNT ACCRUED IN THE PARTICIPANT'S  
21 CORRECTIONS DROP ACCOUNT, DETERMINED IN ACCORDANCE WITH SUBSECTION  
22 (H) AT THE END OF THE CORRECTIONS DROP PARTICIPANT'S PARTICIPATION PERIOD,  
23 IN THE FORM OF:

24 (I) AN ELIGIBLE ROLLOVER DISTRIBUTION, PURSUANT TO SECTION 1.444; OR

25 (II) A LUMP SUM DISTRIBUTION, REDUCED BY ANY WITHHOLDING TAXES  
26 REMITTED TO THE INTERNAL REVENUE SERVICE OR OTHER TAXING  
27 AUTHORITY; OR

28 (III) AN ADDITIONAL ANNUITY IN THE NORMAL FORM OF MONTHLY BENEFIT  
29 SPECIFIED IN SECTION 1.428 IF THE PARTICIPANT'S MONTHLY INCOME IS  
30 PAYABLE IN THE NORMAL FORM OF MONTHLY BENEFIT SPECIFIED IN SECTION  
31 1.428; OR

1                   (IV)    AN ADDITIONAL ANNUITY IN THE FORM OF MONTHLY BENEFIT ELECTED BY  
2                   THE CORRECTIONS DROP PARTICIPANT IN ACCORDANCE WITH SECTION  
3                   1.442 WITH RESPECT TO THE CORRECTIONS DROP PARTICIPANT'S MONTHLY  
4                   INCOME.  
5

6    *Section 2. And Be It Further Enacted by the County Council of Howard County, Maryland that*  
7    *this Act shall become effective 61 days after its enactment.*