

Introduced _____
Public Hearing _____
Council Action _____
Executive Action _____
Effective Date _____

County Council Of Howard County, Maryland

2015 Legislative Session

Legislative Day No. 10

Bill No. 41 -2015

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

AN ACT amending the Howard County Police and Fire Employees' Retirement Plan, Deferred Retirement Option Program II in order to clarify certain interest accruals for the Chief of Police and Chief of Fire and Rescue Services; providing that certain compensation amounts will be included in determining the average compensation for certain Chiefs under certain conditions; and generally relating to the Howard County Police and Fire Employees' Retirement Plan.

Introduced and read first time _____, 2015. Ordered posted and hearing scheduled.

By order _____
Jessica Feldmark, 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 _____, 2015.

By order _____
Jessica Feldmark, Administrator

This Bill was read the third time on _____, 2015 and Passed ____, Passed with amendments _____, Failed _____.

By order _____
Jessica Feldmark, Administrator

Sealed with the County Seal and presented to the County Executive for approval this ___ day of _____, 2015 at ___ a.m./p.m.

By order _____
Jessica Feldmark, Administrator

Approved/Vetoed by the County Executive _____, 2015

Allan H. Kittleman, 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 By amending:

5 Subsection (l) of Section 1.438A “Deferred Retirement Option Program II”

6
7 **Title 1. Human Resources.**
8 **Subtitle 4A. Police and Fire Employees' Retirement Plan.**
9 **Article IIIA. Trust Fund.**

10
11 **Section 1.438A. Deferred Retirement Option Program II.**

12 (l) *Employment of Chief of Police and Chief, Fire and Rescue Services following conclusion of*
13 *DROP II Participation.*

14 (1) If the Chief of Police or the Chief, Fire and Rescue Services (“Chief”) is a DROP
15 II Participant, the Chief may remain in the employ of the County as the Chief
16 beyond the last day of DROP II participation period with the written approval of
17 the County Executive or his or her designee.

18 (2) The compensation of the Chief during and after his or her DROP I or DROP II
19 participation period shall not be included in the determination of his or her DROP
20 I or DROP II account balance or the determination of average compensation
21 under Section 1.406A(f).

22 (3) IF THE CHIEF PARTICIPATES IN DROP II FOR ANY PORTION OF HIS OR HER
23 DROP PARTICIPATION PERIOD, THE CHIEF’S DROP II ACCOUNT SHALL
24 ACCRUE INTEREST IN THE MANNER DESCRIBED IN SUB-PARAGRAPH
25 (H)(2)C FROM THE FIRST DAY OF HIS OR HER DROP PARTICIPATION
26 PERIOD UNTIL THE DATE COUNTY EMPLOYMENT IS TERMINATED .

27 (4) AN INDIVIDUAL’S COMPENSATION DURING PERIODS PRIOR TO JULY 1,
28 2015 SHALL BE INCLUDED IN DETERMINING THE INDIVIDUAL’S AVERAGE
29 COMPENSATION UNDER SECTION 1.406A(F) IF THE INDIVIDUAL:

- 1 (I) HOLDS THE POSITION OF CHIEF AND IS PARTICIPATING IN DROP
2 II ON JULY 1, 2015;
3 (II) DOES NOT VOLUNTARILY TERMINATE EMPLOYMENT IN THE
4 POSITION OF CHIEF PRIOR TO DECEMBER 31, 2018; AND
5 (III) IS NOT TERMINATED FOR CAUSE PRIOR TO DECEMBER 31, 2018.

6
7 ***Section 2. And Be It Further Enacted*** by the County Council of Howard County, Maryland that
8 *this Act shall apply beginning with the first pay date after July 1, 2015.*

9
10 ***Section 3. And Be It Further Enacted*** by the County Council of Howard County, Maryland that
11 *this Act shall become effective 61 days after its enactment.*