

CITY OF BALTIMORE
ORDINANCE **11.444**
Council Bill 10-0603

Introduced by: Councilmembers Kraft, Clarke, Branch, D'Adamo, Conaway, President Young,
Councilmembers Henry, Middleton, Welch
Introduced and read first time: October 4, 2010
Assigned to: Taxation, Finance and Economic Development Committee
Committee Report: Favorable with amendments
Council action: Adopted
Read second time: May 9, 2011

AN ORDINANCE CONCERNING

1 **Fire and Police Employees' Retirement System – Minimum Benefits**

2 FOR the purpose of ~~repealing a length-of-service requirement for the minimum benefit provided~~
3 providing a minimum benefit to spousal beneficiaries of certain members who retired on
4 account of line-of-duty disability; providing for a special effective date; and generally
5 relating to the Fire and Police Employees' Retirement System of the City of Baltimore.

6 BY ~~repealing and reordaining, with amendments~~ adding

7 Article 22 - Retirement Systems

8 Section(s) ~~34(s-1)~~ 34(s-2)

9 Baltimore City Code

10 (Edition 2000)

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

13 **Baltimore City Code**

14 **Article 22. Retirement Systems**

15 **Subtitle – Fire and Police Employees' Retirement Systems**

16 **§ 34. Benefits.**

17 ~~(s-1) Minimum benefits for beneficiaries effective July 1, 2010.~~

18 ~~(1) If a spousal beneficiary of a sworn member who, before August 1, 1996, retired or~~
19 ~~died while in service [with 20 or more years of service] is receiving periodic~~
20 ~~retirement benefits from this System as of June 30, 2010, in an annual amount that is~~
21 ~~less than \$16,000, that beneficiary shall receive an increase in his or her periodic~~
22 ~~retirement benefits so that the annual amount of those benefits equals \$16,000. This~~
23 ~~increase shall be payable with the first full payroll period beginning after July 1,~~
24 ~~2010.~~

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.

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1 ~~(2) If a spousal beneficiary of a sworn member who, before August 1, 1996, retired or~~
2 ~~died while in service [with 20 or more years of service] commences receiving~~
3 ~~benefits from this System on or after July 1, 2010, the annual amount of that~~
4 ~~beneficiary's periodic retirement benefits shall be not less than \$16,000.~~

5 ~~(3) If a spousal beneficiary's retirement benefits under this System are subject to a~~
6 ~~domestic relations order, the annual amount of that beneficiary's benefits prior to~~
7 ~~assignment under that order shall be used in determining whether the beneficiary is~~
8 ~~eligible for the minimum benefit under this subsection.~~

9 (s-2) MINIMUM BENEFITS, EFFECTIVE JANUARY 1, 2012, FOR BENEFICIARIES OF MEMBERS WHO
10 RETIRED ON ACCOUNT OF LINE-OF-DUTY DISABILITY.

11 (1) IF A SPOUSAL BENEFICIARY OF A SWORN MEMBER WHO, BEFORE AUGUST 1, 1996,
12 RETIRED ON ACCOUNT OF A LINE-OF-DUTY DISABILITY WITH LESS THAN 20 YEARS OF
13 SERVICE IS RECEIVING PERIODIC RETIREMENT BENEFITS FROM THIS SYSTEM AS OF
14 DECEMBER 31, 2011, IN AN ANNUAL AMOUNT THAT IS LESS THAN \$16,000, THAT
15 BENEFICIARY SHALL RECEIVE AN INCREASE IN HIS OR HER PERIODIC RETIREMENT
16 BENEFITS SO THAT THE ANNUAL AMOUNT OF THOSE BENEFITS EQUALS \$16,000. THIS
17 INCREASE SHALL BE PAYABLE WITH THE FIRST FULL PAYROLL PERIOD BEGINNING
18 AFTER JANUARY 1, 2012.

19 (2) IF A SPOUSAL BENEFICIARY OF A SWORN MEMBER WHO, BEFORE AUGUST 1, 1996,
20 RETIRED ON ACCOUNT OF A LINE-OF-DUTY DISABILITY WITH LESS THAN 20 YEARS OF
21 SERVICE COMMENCES RECEIVING BENEFITS FROM THIS SYSTEM ON OR AFTER JANUARY
22 1, 2012, THE ANNUAL AMOUNT OF THAT BENEFICIARY'S PERIODIC RETIREMENT
23 BENEFITS SHALL BE NOT LESS THAN \$16,000.

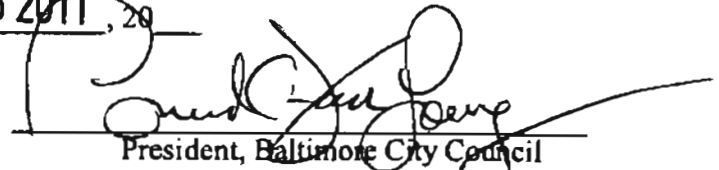
24 (3) IF A SPOUSAL BENEFICIARY'S RETIREMENT BENEFITS UNDER THIS SYSTEM ARE
25 SUBJECT TO A DOMESTIC RELATIONS ORDER, THE ANNUAL AMOUNT OF THAT
26 BENEFICIARY'S BENEFITS PRIOR TO ASSIGNMENT UNDER THAT ORDER SHALL BE USED
27 IN DETERMINING WHETHER THE BENEFICIARY IS ELIGIBLE FOR THE MINIMUM BENEFIT
28 UNDER THIS SUBSECTION.

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

32 SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it
33 is enacted January 1, 2012.

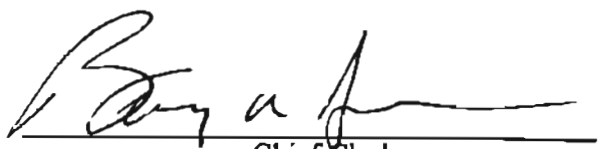
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Certified as duly passed this day of MAY 16 2011, 20

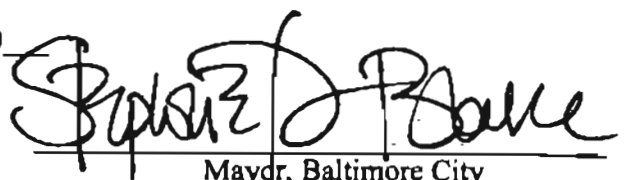

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,

this day of MAY 16 2011, 20


Chief Clerk

Approved this day of MAY 19 2011, 20


Mayor, Baltimore City

Approved For Form and Legal Sufficiency

This 18th Day of May 2011

Elena R. DiPietro

Assistant Solicitor

A TRUE COPY

Edward J. Gallagher
Director of Finance