

Expedited Bill No. 16-25
Concerning: Personnel – Employees’
Retirement System – Membership
Requirements and Membership Group
Revised: 5/9/25 Draft No. 1
Introduced: June 17, 2025
Enacted: July 29, 2025
Executive: August 4, 2025
Effective: August 4, 2025
Sunset Date: None
Ch. 17, Laws of Mont. Co. 2025

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Council President at the Request of the County Executive

AN EXPEDITED ACT to:

- (1) make certain emergency communications managers eligible for retirement Group E;
and
- (2) generally amend the law regarding the employees’ retirement system.

By amending:

Montgomery County Code
Chapter 33, Personnel and Human Resources
Section 33-37

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

Sec. 1. Section 33-37 is amended as follows:

33-37. Membership requirements and membership groups.

* * *

(f) *Membership groups and eligibility.* Any full-time or part-time employee is eligible for membership in the appropriate membership group if the employee meets all of the requirements for the group:

* * *

(4) Group E: The Chief Administrative Officer, the Executive Director of the Office of the County Council, the hearing examiners, the County Attorney and each head of a principal department or office of the County government, if appointed to that position before July 30, 1978, or a member having held that position on or before October 1, 1972. Any sworn deputy sheriff or uniformed County correctional officer in the position of Correctional Officer I, Correctional Officer II, Correctional Officer III, Correctional Dietary Officer I, Correctional Dietary Officer II, Resident Supervisor I, Resident Supervisor II, Resident Supervisor III, Correctional Supervisor-Sergeant, Correctional Dietary Supervisor, Correctional Shift Commander-Lieutenant, Correctional Unit Commander-Captain, Deputy Warden, or Warden, or the following positions in the Emergency Communications Center: Public Safety Emergency Communications Specialist I, Public Safety Emergency Communications Specialist II, Public Safety Emergency Communications Specialist III, Public Safety Emergency Communications Specialist IV, Senior Public Safety Emergency Communications Specialist, Public Safety Communications

Supervisor, Public Safety Emergency Communications Manager, or Emergency Communications MLS Manager [2] II and III. Any Group E member who has reached elective early retirement date may retain membership in Group E if the member transfers from the position which qualified the member for Group E. Any Group E member who is temporarily transferred from the position which qualified the member for Group E may retain membership in Group E as long as the temporary transfer from the Group E position does not exceed 3 years. Notwithstanding the foregoing provisions in Group E, any employee who is eligible for membership in Group E must participate in the guaranteed retirement income plan or the retirement savings plan under Article VIII if the employee:

- (A) (i) begins, or returns to, County service on or after October 1, 1994 (except as provided in the last sentence of subsection (e)(2));
- (ii) is not represented by an employee organization; and
- (iii) does not occupy a bargaining unit position; or
- (B) (i) begins County service on or after October 1, 1994; and
- (ii) is subject to the terms of a collective bargaining agreement between the County and an employee organization which requires the employee to participate in the guaranteed retirement income plan or the retirement savings plan.


* * *

Sec. 2. Expedited Effective Date. The Council declares that this Act is

55 necessary for the immediate protection of the public interest. This Act takes effect on
56 the date on which it becomes law.

57 **Sec. 3. Retroactive Application.** Emergency Communications MLS Managers
58 III are eligible for Group E membership, under Section 1 of this Act, effective August
59 7, 2023.

Approved:



Kate Stewart, President, County Council

July 29, 2025

Date

Approved:



Marc Elrich, County Executive

August 4, 2025

Date

This is a correct copy of Council action.



Sara R. Tenenbaum, Clerk of the Council

August 4, 2025

Date