

Expedited Bill No. 46-23
Concerning: OPT/SLT Bargaining Units – Pension and Retirement Adjustments
Revised: 12/12/2023 Draft No. 2
Introduced: December 12, 2023
Enacted: February 6, 2024
Executive: _____
Effective: _____
Sunset Date: _____
Ch. , Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Councilmember Katz
Co-Sponsors: Councilmembers Jawando, Luedtke, and Albornoz, Council Vice-President Stewart,
Councilmembers Sayles, Mink, and Balcombe, Council President Friedson, and Councilmember
Fani-González

AN EXPEDITED ACT to:

- (1) extend from January 4, 2024, to August 7, 2024, the deadline for eligible County employees enrolled in Groups E and J of the Employees’ Retirement System to elect to purchase credited years of service with their existing Retirement Savings Plan or Guaranteed Retirement Income Plan balances; and
- (2) generally amend the law regarding the Employees’ Retirement System.

By amending:

Montgomery County Code
Chapter 33, Personnel and Human Resources
Section 33-41

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:

- 28 (2) Eligible employees who elect to purchase credited service under
 29 this subsection may not apply any years of service while a member
 30 of the guaranteed retirement income plan or the retirement savings
 31 plan for the purposes of calculating years of service under either
 32 the optional retirement plan or the integrated retirement plan.
- 33 (3) Eligibility for early or normal retirement will be based upon the
 34 credited service at the time the employee enters Group E plus any
 35 credited service purchased by the employee.
- 36 (4) The vesting provisions in subsection (a)(2) will apply to employees
 37 listed in subsection (r)(1) regardless of whether they elect to
 38 purchase service credit under this subsection.
- 39 (s) *Positions added to Group J eligibility.*
- 40 (1) Notwithstanding subsection (a)(2), a County member who was
 41 hired on or before July 1, 2023, and who was participating in the
 42 guaranteed retirement income plan or the retirement savings plan
 43 prior to Group J eligibility, and who becomes Group J eligible after
 44 July 1, 2023 may:
- 45 (A) make a one-time irrevocable election to purchase credited
 46 service with their entire existing guaranteed retirement
 47 income plan or retirement savings plan balances [within 150
 48 days of Group J eligibility] up to and including August 7,
 49 2024, in accordance with an actuarial determination of the
 50 value transferred; or
- 51 (B) retain guaranteed retirement income plan or retirement
 52 savings plan balances, will no longer participate in the
 53 guaranteed retirement income plan or retirement savings
 54 plan, and will enter Group J with a credited service balance

55 of 0 years, unless the employee is otherwise eligible to
56 purchase other service credits provided for in this section.

57 (2) Eligible employees who elect to purchase credited service under
58 this subsection may not apply any years of service while a member
59 of the guaranteed retirement income plan or the retirement savings
60 plan for the purposes of calculating years of service under either
61 the optional retirement plan or the integrated retirement plan.

62 (3) Eligibility for early or normal retirement will be based upon the
63 credited service at the time the employee enters Group J plus any
64 credited service purchased by the employee.

65 (4) The vesting provisions in subsection (a)(2) will apply to employees
66 listed in subsection (s)(1) regardless of whether they elect to
67 purchase service credit under this subsection.

68 * * *

69 **Sec. 2. Effective date.** The Council declares that this legislation is necessary
70 for the immediate protection of the public interest. This Act takes effect on the date
71 on which it becomes law.

72 **Sec. 3. Retroactive Application.** This Bill applies retroactively to January 4,
73 2024, in order to provide for an uninterrupted extension of the time to make the
74 elections described in Sec. 1.

75

Approved:



February 6, 2024

Andrew Friedson, President, County Council

Date

Approved:

Marc Elrich, County Executive

Date

This is a correct copy of Council action.

Sara R. Tenenbaum, Clerk of the Council

Date