

## CHAPTER 39

(BILL NO. 62-70)

AN ACT to amend Sections 62(b)(5), 62(i), 65(k), 65(n), 66(a), 66(d)(2), 67(b), 68(a)(3), and 69(a) and add new sections 62(f)(4), 65(t) and 65(u) of Article II, title "Employees' Retirement System of Montgomery County", of Chapter 94, title "Personnel," of the Montgomery County Code, 1965, as amended, with respect to certain provisions of the Employees' Retirement System of Montgomery County to provide an opportunity for police officers covered under the Police Relief and Retirement Fund to transfer to the Employees' Retirement System of Montgomery County, to clarify the provisions assuring that any member retiring thereunder would be entitled to benefits not less than discontinued service pension benefits of employee members; to provide credited service for period of prior County service; credited service for period of qualified County service not under the Employees' Retirement System of the State of Maryland; redefine the meaning of "average final earnings," to revise the provision for use of sick leave for obtaining credited service so that up to 4224 hours of sick leave may be used to accelerate a member's normal retirement date; to clarify the formula used in determining the amount of contributions payable by elective members for the purchase of prior service credits; to provide for more flexibility for members who elect the joint and survivor pension option; and to provide for recognition of more than one normal retirement date in connection with the vesting provision.

*Be It Enacted by the County Council for Montgomery County, Maryland, that—*

SEC. 1. Sections 62(b)(5), title "Transfer from Group D to Group B or E." and 62(i), titled "Administrative retirement on or after normal retirement date." are hereby amended and new Section 62(f)(4) is hereby added to Section 62, title "Normal Retirement Date, Early Retirement Date and Administrative Retirement Date." Chapter 94, Montgomery County Code, 1965, to read as follows:

(5) Transfers from Group D to Group E. A Group D member may transfer to Group E on or before July 1, 1971 and the retirement service credits he has earned as a Group D member may be used for the purpose of qualifying him for normal retirement at age fifty-five (55) years, fifty-one (51) years of age with thirty (30) years of creditable service, or at forty-eight (48) years of age with twenty-five (25) years of creditable service. Except for the contribution rate increase as of the effective date of the transfer there shall be no charges levied on any member transferring from Group D to Group B or E on or before July 1, 1970. No transfers shall be permitted from Group D to Group E after July 1, 1971. Any Group