

ANNE ARUNDEL COUNTY

Bill No. 16-74

AN ORDINANCE to repeal Section 14-303(e) of the Anne Arundel County Code (1967 Edition and Supplements), Title 14, "Police", Subtitle 3, "Police and Fire Service Retirement", (as last amended by Bill No. 103-73), and to enact new Section 14-303(e) in lieu thereof, to stand in the place of the Section repealed, to correct a technical error in the law.

SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND, That Section 14-303(e) of the Anne Arundel County Code (1967 Edition and Supplements), Title 14, "Police", Subtitle 3, "Police and Fire Service Retirement", (as last amended by Bill No. 103-73), be, and it is hereby repealed, and new Section 14-303(e) be, and it is hereby enacted in lieu thereof, to stand in the place of the section repealed, and to read as follows:

SECTION 14-303.

(E) AMOUNT OF DISABILITY PENSION. THE ANNUAL AMOUNT OF DISABILITY PENSION PAYABLE TO EACH ELIGIBLE PARTICIPANT SHALL BE DETERMINED AS FOLLOWS:

(1) IF A PARTICIPANT IS DEEMED TO BE TOTALLY AND PERMANENTLY DISABLED IN ACCORDANCE WITH THE PROVISIONS OF SUBSECTION (A) AND (B) OF THIS SECTION, AND SUCH DISABILITY IS THE RESULT OF BODILY INJURY OR DISEASE ARISING OUT OF AND DIRECTLY RELATED TO AN ON-DUTY CAUSE, THE ANNUAL AMOUNT OF THE PARTICIPANT'S DISABILITY PENSION SHALL BE EQUAL TO SIXTY-SIX AND TWO-THIRDS PERCENT ($66\frac{2}{3}\%$) OF HIS FINAL EARNINGS. SHOULD A PARTICIPANT BE ASSIGNED TO A HIGHER CLASSIFICATION AND BE DISABLED WHILE ACTING IN SUCH CLASSIFICATION, THE PARTICIPANT SHALL RECEIVE BENEFITS BASED ON THE SALARY HE WOULD HAVE RECEIVED HAD HE BEEN PROMOTED TO THE HIGHER CLASSIFICATION UNDER PROVISIONS OF SECTION 1-214(B) OF THE ANNE ARUNDEL COUNTY CODE.

(2) IF THE PARTICIPANT IS DEEMED TO BE TOTALLY AND PERMANENTLY DISABLED SOLELY BECAUSE HE IS PREVENTED FROM ENGAGING IN ANY OCCUPATION OR EMPLOYMENT FOR REMUNERATION OR PROFIT IN ACCORDANCE WITH THE PROVISIONS OF SUBSECTION (A)(1) OF THIS SECTION, THE ANNUAL AMOUNT OF THE PARTICIPANT'S DISABILITY PENSION SHALL BE EQUAL TO SIXTY-SIX AND TWO-THIRDS PERCENT ($66\frac{2}{3}\%$) OF HIS FINAL EARNINGS.

(3) IF THE PARTICIPANT IS DEEMED TO BE TOTALLY AND PERMANENTLY DISABLED SOLELY BECAUSE HE IS PREVENTED FROM CONTINUING IN HIS CAPACITY AS AN EMPLOYEE