

Article – State Personnel and Pensions

TITLE 39. SPECIAL RETIREMENT OR PENSION SYSTEMS.

39-101.

(A) IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "COUNTY" MEANS A COUNTY OF THE STATE AND, UNLESS EXPRESSLY PROVIDED OTHERWISE, BALTIMORE CITY.

(C) (1) "SPECIAL RETIREMENT OR PENSION SYSTEM" MEANS A RETIREMENT OR PENSION SYSTEM THAT:

(+) (I) PROVIDES RETIREMENT OR PENSION BENEFITS; AND

(+) (II) ALLOWS A COUNTY EXECUTIVE, COUNTY COUNCIL MEMBER, OR COUNTY COMMISSIONER, OR APPOINTED OFFICIAL TO PARTICIPATE.

(2) "SPECIAL RETIREMENT OR PENSION SYSTEM" DOES NOT INCLUDE:

(I) A DEFINED CONTRIBUTION PLAN WITH BENEFITS DETERMINED BY AN ACTUARIAL COMPUTATION BASED ON EMPLOYEE CONTRIBUTIONS AND THE ACCRUED RETURN ON THOSE CONTRIBUTIONS; OR

(II) A RETIREMENT OR PENSION PLAN THAT DETERMINES BENEFIT AMOUNTS USING COMPUTATIONS OR OTHER SPECIFIC METHODS ENACTED AS AN ORDINANCE BY THE GOVERNING BODY.

39-102.

(A) A COUNTY MAY NOT CREATE A SPECIAL RETIREMENT OR PENSION SYSTEM THAT ALLOWS THE SYSTEM'S BENEFITS TO BE SET OR AMENDED ADMINISTRATIVELY BY A MEANS OTHER THAN BY ORDINANCE ENACTED BY THE GOVERNING BODY OF THE COUNTY.

(B) ON OR AFTER ~~JANUARY~~ FEBRUARY 1, 1996, A COUNTY MAY CREATE A SPECIAL RETIREMENT OR PENSION SYSTEM IF THE SYSTEM MEETS THE REQUIREMENTS STATED IN THIS SECTION.

(C) (1) A COUNTY THAT CREATES A SPECIAL RETIREMENT OR PENSION SYSTEM SHALL CREATE THE SYSTEM BY AN ORDINANCE ENACTED BY THE GOVERNING BODY OF THE COUNTY.

(2) THE ORDINANCE CREATING THE ~~LOCAL~~ SPECIAL RETIREMENT OR PENSION SYSTEM SHALL SET FORTH:

(I) THE BENEFITS TO BE PROVIDED UNDER THE SYSTEM;

(II) A METHOD OF FUNDING THE SYSTEM THAT COMPLIES WITH SUBSECTION (D) OF THIS SECTION; AND

(III) A METHOD OF SELECTING TRUSTEES FOR THE SYSTEM.