

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2026, Legislative Day No. 5

Bill No. 19-26

Councilmembers Patoka & Ertel

By the County Council, February 17, 2026

A BILL
ENTITLED

AN ACT concerning

Employees Retirement System – County Council Members – Repeal of Bill 40-24

FOR the purpose repealing the provisions of Bill 40-24 regarding recalculations of a Councilmember service retirement benefit and cost-of-living adjustments; clarifying that a service retirement benefit received by a Councilmember is an allowance under certain State laws and may only be amended in accordance with Section 204 of the County Charter and § 2-1-102 of the County Code; and generally relating to the Employees Retirement System.

BY repealing and re-enacting, with amendments

Section 5-1-237(b)
Article 5 – Pensions and Retirement
Title 1 – Employees Retirement System
Subtitle 2 – Retirement System
Baltimore County Code, 2015

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter stricken from existing law.
~~Strike out~~ indicates matter stricken from bill.
Underlining indicates amendments to bill.

BY adding

Section 5-1-237(l)
Article 5 – Pensions and Retirement
Title 1 – Employees Retirement System
Subtitle 2 – Retirement System
Baltimore County Code, 2015

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
2 COUNTY, MARYLAND, that the Laws of Baltimore County read as follows:

3

4

ARTICLE 5 – PENSIONS AND RETIREMENT

5

Title 1 – Employees Retirement System

6

Subtitle 2 – Retirement System

7

8 § 5-1-237. Members of County Council and County Executive.

9

(b) [(1)] Any such member who has completed sixteen (16) years of service or has
10 attained the age of fifty-five (55) and has completed four (4) years of service may retire and
11 receive a retirement allowance which shall be equal to one-twentieth of the member's average
12 final compensation multiplied by the number of years of the member's service. No member may
13 receive a retirement allowance in excess of sixty percent (60%) of the member's average final
14 compensation after twelve (12) years of service, and no member may receive a retirement
15 allowance in excess of seventy percent (70%) of the member's average final compensation after
16 sixteen (16) or more years of service. [Notwithstanding anything to the contrary contained in
17 this subtitle, a member who receives a retirement allowance under this paragraph shall be
18 eligible for any permitted cost-of-living adjustments to their retirement allowance.

1 (2) Notwithstanding anything to the contrary contained in this subtitle, if the
2 compensation paid to current members of the County Council is changed in accordance with § 2-
3 1-102 of the Code, any such member who retires on or after January 1, 2025 and receives a
4 retirement allowance under paragraph (1) of this subsection shall within 30 days of the change
5 have their retirement allowance recalculated, as follows:

6 (i) For a former member of the County Council who was a chair during
7 their tenure, the member's service retirement benefit shall be recalculated based on the change in
8 compensation paid to the chair of the County Council.

9 (ii) For a former member of the County Council who was not a chair
10 during their tenure, the member's service retirement benefit shall be recalculated based on the
11 change in compensation paid to a member of the County Council.

12 (3) A member who receives a retirement allowance or a recalculation of their
13 benefit under paragraph (2) of this subsection shall not be eligible for any cost-of-living
14 adjustments to their retirement allowance.]

15 (L) A BENEFIT RECEIVED BY A FORMER MEMBER OF THE COUNTY
16 COUNCIL UNDER THIS SECTION IS AN ALLOWANCE UNDER § 10-302 OF THE
17 LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND AND
18 MAY ONLY BE AMENDED IN ACCORDANCE WITH SECTION 204 OF THE COUNTY
19 CHARTER AND § 2-1-102 OF THE CODE.

20
21 SECTION 2. AND BE IT FURTHER ENACTED, that this Act shall take effect 45 days
22 from the date of its enactment.



LEGISLATION DETAIL

LEGISLATION _____

DISPOSITION _____

ENACTED _____

EFFECTIVE _____

AMENDMENTS _____

ROLL CALL - BILL

MOTION

AYE NAY

SECOND

Councilman Young

Councilman Patoka

Councilman Kach

Councilman Jones

Councilman Marks

Councilman Ertel

Councilman Crandell

ROLL CALL - AMENDMENTS

MOTION

AYE NAY

SECOND

Councilman Young

Councilman Patoka

Councilman Kach

Councilman Jones

Councilman Marks

Councilman Ertel

Councilman Crandell

ROLL CALL - AMENDMENTS

MOTION

AYE NAY

SECOND

Councilman Young

Councilman Patoka

Councilman Kach

Councilman Jones

Councilman Marks

Councilman Ertel

Councilman Crandell

ROLL CALL - AMENDMENTS

MOTION

AYE NAY

SECOND

Councilman Young

Councilman Patoka

Councilman Kach

Councilman Jones

Councilman Marks

Councilman Ertel

Councilman Crandell