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

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

ARTICLE 5 – PENSIONS AND RETIREMENT

Title 1 – Employees Retirement System

Subtitle 2 – Retirement System

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

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

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

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

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

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

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

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

LEGISLATION DETAIL

LEGISLATION	BILL 19-26
DISPOSITION	PASSED AS AMENDED
ENACTED	RETURNED UNSIGNED
EFFECTIVE	05/11/26
AMENDMENTS	YES (1)

ROLL CALL - BILL

MOTION ERTEL SECOND PATOKA

AYE	NAY	
☑	☐	Councilman Young
☑	☐	Councilman Patoka
☑	☐	Councilman Kach
☑	☐	Councilman Jones
☑	☐	Councilman Marks
☑	☐	Councilman Ertel
☑	☐	Councilman Crandell

ROLL CALL - AMENDMENTS

MOTION YOUNG SECOND KACH

AYE	NAY	
☑	☐	Councilman Young
☐	☑	Councilman Patoka
☑	☐	Councilman Kach
☑	☐	Councilman Jones
☑	☐	Councilman Marks
☐	☑	Councilman Ertel
☑	☐	Councilman Crandell

ROLL CALL - AMENDMENTS

MOTION SECOND

AYE	NAY	
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☐	☐	Councilman Patoka
☐	☐	Councilman Kach
☐	☐	Councilman Jones
☐	☐	Councilman Marks
☐	☐	Councilman Ertel
☐	☐	Councilman Crandell

ROLL CALL - AMENDMENTS

MOTION SECOND

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☐	☐	Councilman Ertel
☐	☐	Councilman Crandell