

Bond Case Briefs

Municipal Finance Law Since 1971

PENSIONS - MARYLAND

Employees' Retirement System of Baltimore County v. Bradford

Court of Special Appeals of Maryland - February 24, 2016 - A.3d - 2016 WL 743687

County police officer sought to change his retirement benefit option after he retired for second time subsequent to rehire and additional period of employment with police department. County employees' retirement system determined that officer could not select retirement option upon second retirement that did not exist at time of first retirement. Officer appealed. County board of appeals reversed. Retirement system appealed.

The Court of Special Appeals held that:

- Decision of "agency" being reviewed was that of board of appeals, rather than that of retirement system, and
- Officer was not prevented, upon his second retirement, from changing his retirement benefit option to one that did not exist at time of first retirement, despite county code provision indicating that members who had elected an optional benefit could not change such an election after the first payment of the member's allowance became normally due.