



# City of Baltimore

City Council  
City Hall, Room 408  
100 North Holliday Street  
Baltimore, Maryland 21202

## Legislation Text

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**File #:** 07-0608, **Version:** 0

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EXPLANATION: CAPITALS indicate matter added to existing law.  
[Brackets] indicate matter deleted from existing law.

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INTRODUCTORY\*

CITY OF BALTIMORE  
COUNCIL BILL

Introduced by: Councilmember Harris  
At the request of: Baltimore City Firefighters Local 734  
Address: Rick Schluderberg, President, 1202 Ridgely Street, Baltimore, Maryland 21230  
Telephone: 443-324-2530

A BILL ENTITLED

AN ORDINANCE concerning  
**Fire and Police Employees' Retirement System - Fallen Heroes**

FOR the purpose of modifying, for purposes of the line-of-duty death benefit, the determination of a member's compensation; providing for a special effective date; and generally relating to the Fire and Police Employees' Retirement System.

BY repealing and reordaining, with amendments

Article 22 - Retirement Systems

Section(s) 34(i)(2)(A) and (E)

Baltimore City Code

(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 22. Retirement Systems

Subtitle - Fire and Police Employees' Retirement System

§ 34. Benefits.

(i) Line-of-duty death benefit.

(2) Line-of-duty death benefit.

(A) On the receipt of a written application, proper proof of death, and an award by a hearing examiner of a line-of-duty death benefit, the Board of Trustees shall pay:

(i) a lump-sum refund of the member's accumulated contributions, to be paid as follows:

1. to the member's designated beneficiary;
2. if there is no designated beneficiary or if the designated beneficiary predeceases the member, to the member's surviving spouse;
3. if there is no designated beneficiary and no surviving spouse, to the member's children, in equal shares;
4. if there is no designated beneficiary, surviving spouse, or surviving child, to the member's surviving parents, in equal shares; and
5. otherwise, to the member's estate; and

(ii) a pension of 100% of the member's [current] compensation, DETERMINED AS PROVIDED IN SUBPARAGRAPH (E) OF THIS PARAGRAPH (2), to be paid as follows, regardless of whom the member designated as beneficiary:

1. to the member's surviving spouse, to continue for life;
2. if there is no surviving spouse or if the surviving spouse dies, to the member's minor children to be paid to each child, in equal shares, until that child is no longer minor, as defined in § 47(h) of this article;
3. if there is no surviving spouse or minor children, to either or both of the member's surviving dependent parents who are designated beneficiaries, to continue for life, in the percentages designated by the member; or
4. if there is no surviving spouse or minor children and if the deceased member did not designate his or her surviving parents as beneficiaries, then to either or both of the member's surviving dependent parents, to continue for life, as the Board of Trustees in its discretion directs.

(E) [If the member's death occurred as the result of an injury sustained while the member was assigned to duties in a higher class than his or her regular job classification, the current compensation described in] FOR PURPOSES OF subparagraph (A)(ii) of this paragraph (2), THE MEMBER'S COMPENSATION shall be the maximum level or experience salary scale, taking into account the longevity increments appropriate to the member's length of service, in the classification in which the member was performing duties on the date of the injury causing death.

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted, retroactive to February 1, 2007.

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art22/F&PDeathBnfts/aa:me

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