

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND  
Legislative Session 2015, Legislative Day No. 1

Bill No. 3-15

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All Councilmembers

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By the County Council, January 5, 2015

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A BILL  
ENTITLED

AN ACT concerning

Retirement System – Line of Duty Death Benefit

FOR the of purpose repealing the prohibition on the continued payment of a line of duty death benefit to a deceased member's surviving spouse if the surviving spouse remarries; and generally relating to the line of duty death benefit for the surviving spouse of a deceased member of the retirement system.

BY repealing and re-enacting, with amendments

Section 5-1-228(a)(2)  
Article 5. Pensions and Retirement  
Baltimore County Code, 2003

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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.

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 Article 5. Pensions and Retirement

4 §5-1-228.

5 (a) (2) (i) Notwithstanding the foregoing provision, if the Board of Trustees  
6 shall receive evidence of proof satisfactory to the Board that such death was the result of injuries  
7 sustained in the line of duty or was directly attributable to the inherent hazards of the duties  
8 performed by such employee, and the Board of Trustees shall decide that the death was not  
9 caused by willful negligence on the part of the member, there shall be paid in lieu of such lump  
10 sum death benefit a retirement allowance:

11 1. To the member's surviving spouse[, to continue during  
12 surviving spouse's widowhood]; or

13 2. If there be no surviving spouse or the surviving spouse dies  
14 [or remarries] before the youngest child of such deceased member shall have attained the age of  
15 eighteen (18) years, then to the member's child or children under such age, divided in such  
16 manner as the Board of Trustees in its discretion shall determine, to continue as a joint and  
17 survivorship pension for the benefit of the child or children under such age until every child dies  
18 or attains such age; or



1 allowance as determined above the annuity which is the actuarial equivalent of such commuted  
2 value.

3 SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having passed by the  
4 affirmative vote of five members of the County Council, shall effect on March 2, 2015.

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