

HOUSE BILL 433

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E4

1998 Regular Session  
8lr0189

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By: **Delegates Conway, Bozman, McClenahan, W. Baker, Guns, Wood,  
Edwards, Slade, Malone, Linton, Eckardt, Walkup, O'Donnell,  
Dewberry, D. Hughes, V. Mitchell, Rudolph, M. Burns, and Hutchins**

Introduced and read first time: February 4, 1998

Assigned to: Appropriations

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 27, 1998

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Volunteer Firefighters and Rescue Squad Personnel - Death Benefits**

3 FOR the purpose of requiring that the Board of Trustees of the Maryland State  
4 Firemen's Association pay a certain amount of death benefits to certain persons  
5 if a volunteer firefighter or individual serving on a volunteer rescue squad dies  
6 under certain circumstances, regardless of the district in which the decedent  
7 died or whether the decedent died while acting alone or at the direction of or  
8 with a fire company or rescue squad; authorizing under certain circumstances a  
9 designated relative of the decedent or the decedent's estate to collect death  
10 benefits; providing for the application of this Act; and generally relating to death  
11 benefits and volunteer firefighters and individuals serving on volunteer rescue  
12 squads.

13 BY repealing and reenacting, with amendments,  
14 Article 38A - Fires and Investigations  
15 Section 42A  
16 Annotated Code of Maryland  
17 (1997 Replacement Volume and 1997 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
19 MARYLAND, That the Laws of Maryland read as follows:

1 **Article 38A - Fires and Investigations**

2 42A.

3 [(a) If any volunteer firefighter or individual serving on a volunteer rescue  
 4 squad dies as a direct result of active participation in fighting a fire or while going to  
 5 or from a fire, or performing any other duties necessary to the operation or  
 6 maintenance of the fire company or actively participating in the ambulance or rescue  
 7 work of an incorporated volunteer fire company or volunteer rescue squad in the  
 8 State, and leaves a surviving spouse, or minor child or children; or if there is no  
 9 surviving spouse or minor child or children, but leaves a parent or parents, or a sister  
 10 or brother, who were dependent upon the decedent for support, there shall be paid to  
 11 the surviving spouse, or to the guardian of the minor child or children, or the  
 12 surviving parent or parents or sister or brother dependent upon the decedent for  
 13 support, an amount determined by the board of trustees of at least the sum of \$2,000  
 14 from the treasury of the Maryland State Firemen's Association.]

15 (A) IN THIS SECTION, "BOARD" MEANS THE BOARD OF TRUSTEES OF THE  
 16 MARYLAND STATE FIREMEN'S ASSOCIATION.

17 (B) (1) THE BOARD SHALL PAY DEATH BENEFITS UNDER THIS SECTION IF A  
 18 VOLUNTEER FIREFIGHTER OR INDIVIDUAL SERVING ON A VOLUNTEER RESCUE  
 19 SQUAD DIES:

20 (I) AS A DIRECT RESULT OF ACTIVELY PARTICIPATING IN  
 21 FIGHTING A FIRE OR WHILE GOING TO OR FROM A FIRE;

22 (II) WHILE PERFORMING ANY OTHER DUTIES NECESSARY TO THE  
 23 OPERATION OR MAINTENANCE OF THE FIRE COMPANY; ~~OR~~

24 (III) WHILE ACTIVELY PARTICIPATING IN THE AMBULANCE,  
 25 ADVANCED LIFE SUPPORT, OR RESCUE WORK OF A VOLUNTEER FIRE, AMBULANCE,  
 26 OR RESCUE COMPANY OR VOLUNTEER ADVANCED LIFE SUPPORT UNIT IN THE  
 27 STATE; OR

28 (IV) WHILE PROVIDING EMERGENCY OR RESCUE ASSISTANCE,  
 29 WHETHER ACTING ALONE OR AT THE DIRECTION OF OR WITH A FIRE, AMBULANCE,  
 30 OR RESCUE COMPANY OR ADVANCED LIFE SUPPORT UNIT.

31 (2) THE BENEFITS SHALL BE PAID FROM THE TREASURY OF THE  
 32 MARYLAND STATE FIREMEN'S ASSOCIATION IN AN AMOUNT THE BOARD  
 33 DETERMINES, BUT NOT LESS THAN \$2,000, REGARDLESS OF:

34 (I) THE DISTRICT IN WHICH THE DECEDENT DIED; OR

35 (II) WHETHER THE DECEDENT DIED ~~WHILE ACTING ALONE OR AT~~  
 36 ~~THE DIRECTION OF OR WITH A FIRE, AMBULANCE, OR RESCUE COMPANY OR~~  
 37 ~~ADVANCED LIFE SUPPORT UNIT IN:~~

38 1. THIS STATE;



1 after ~~January~~ July 1, 1996, while fighting a fire or performing any official task under  
2 circumstances that would cause the Board of Trustees of the Maryland State  
3 Firemen's Association to pay death benefits under this Act.

4 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take  
5 effect July 1, 1998.