

# SENATE BILL 173

L2, E4

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CF 0lr1468

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By: **Senator McFadden (By Request – Baltimore City Administration)**

Introduced and read first time: January 20, 2010

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City Police Department Death Relief Fund – Procedures and**  
3 **Benefit Amount**

4 FOR the purpose of altering the amount of benefit payable from the Baltimore City  
5 Police Department Death Relief Fund because of the death of an officer or  
6 civilian employee under certain circumstances; changing certain references to  
7 the rank of “captain” to be references to the rank of “deputy major”; requiring a  
8 certain oath of office taken by a certain trustee to be administered by the Police  
9 Commissioner of Baltimore City or the Police Commissioner’s designee and  
10 requiring the oath to be filed in the Police Commissioner’s office; repealing a  
11 requirement that copies of a certain report of the board of trustees of the Fund  
12 be submitted for posting at certain facilities; requiring a certain report of the  
13 board of trustees of the Fund to be provided to all members of the board by  
14 electronic mail; requiring the board of trustees of the Fund to post copies of a  
15 certain report on the Baltimore City Police Department’s Intranet; and  
16 generally relating to the Baltimore City Police Department Death Relief Fund.

17 BY repealing and reenacting, without amendments,  
18 Article 24 – Political Subdivisions – Miscellaneous Provisions  
19 Section 16–101  
20 Annotated Code of Maryland  
21 (2005 Replacement Volume and 2009 Supplement)

22 BY repealing and reenacting, with amendments,  
23 Article 24 – Political Subdivisions – Miscellaneous Provisions  
24 Section 16–103(a), 16–105(a)(1) and (d), and 16–106(d)  
25 Annotated Code of Maryland  
26 (2005 Replacement Volume and 2009 Supplement)

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1                   **Article 24 – Political Subdivisions – Miscellaneous Provisions**

2   16–101.

3           There is hereby established, as an instrumentality of the State, the Baltimore  
4 City Police Department Death Relief Fund, which shall be the successor of the relief  
5 fund heretofore administered by the Police Commissioner of Baltimore City.

6   16–103.

7           (a)    The amount of benefit payable on account of the death of an officer or a  
8 civilian employee whose death is proximately caused by injuries sustained or by harm  
9 inflicted upon the body in the course of the performance of their duty shall be **[\$5,000]**  
10 **\$10,000** or such greater amount as may be prospectively and uniformly established by  
11 resolution adopted by the board. The amount of benefit payable on account of the  
12 death of an officer or a civilian employee whose death is not proximately caused by  
13 injuries sustained or by harm inflicted upon the body in the course of the performance  
14 of their duty shall be \$500 or such greater amount as may be prospectively and  
15 uniformly established by resolution adopted by the board. The benefits under this title  
16 shall be in addition to all other benefits provided by law or by voluntary action of any  
17 person or persons.

18   16–105.

19           (a)    (1)   The board of trustees shall consist of nine members; one member of  
20 the rank of major or higher, one **[captain] DEPUTY MAJOR**, one lieutenant, one  
21 sergeant, three patrolmen, one civilian employee of the Department, and the Director  
22 of Fiscal Affairs Division. With the exception of the Director of Fiscal Affairs, members  
23 of the board of trustees shall be elected at large, and shall serve a term of 4 years.  
24 Elections will be held biannually with the terms of the major or higher rank, sergeant  
25 and two patrolmen terminating at alternate 2–year periods with those of the **[captain]**  
26 **DEPUTY MAJOR**, lieutenant, one patrolman and civilian representative. The first  
27 election will be held during the year of enactment of this title, at which time the  
28 **[captain] DEPUTY MAJOR**, lieutenant, and one patrolman (the patrolman member of  
29 the board of trustees having held office the longest period of time will stand for  
30 election) and the civilian member will be elected.

31           (d)    Each trustee, within 10 days after the commencement of the trustee’s  
32 term, shall take an oath of office that the trustee will diligently and faithfully perform  
33 the duties of trustee in accordance with law. Such oath shall be administered by the  
34 **[Clerk of the Circuit Court for] POLICE COMMISSIONER OF Baltimore City, OR THE**  
35 **POLICE COMMISSIONER’S DESIGNEE**, subscribed by the member making it, and  
36 filed in **[said Clerk’s] THE POLICE COMMISSIONER’S** office.

37   16–106.

1 (d) The accounts of the Fund shall be regularly audited by the Legislative  
2 Auditor, and from time to time by such independent certified public accountant that  
3 the board of trustees may engage. On or before May 1 in each year, the board of  
4 trustees shall publish annually a report including the fiscal transactions of the Fund  
5 for the year ending the preceding December 31, and a detailed balance sheet as of the  
6 said preceding December 31. The board shall [submit copies of said report for posting  
7 at all the headquarters and all other buildings, facilities, and installations of the  
8 Department] **PROVIDE COPIES OF THE REPORT TO ALL MEMBERS OF THE BOARD**  
9 **BY ELECTRONIC MAIL, POST COPIES OF THE REPORT ON THE BALTIMORE CITY**  
10 **POLICE DEPARTMENT'S INTRANET**, and [shall] file with its own records one or  
11 more copies, which shall be made available to any officer or civilian employee of the  
12 Department or potential beneficiary of any deceased officer or civilian employee  
13 wishing to inspect the same.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
15 October 1, 2010.