

Department of Legislative Services
Maryland General Assembly
2010 Session

FISCAL AND POLICY NOTE
Revised

Senate Bill 173

(Senator McFadden)(By Request - Baltimore City
Administration)

Education, Health, and Environmental Affairs

Judiciary

**Baltimore City Police Department Death Relief Fund - Procedures and Benefit
Amount**

This bill increases, from \$5,000 to \$10,000, the amount of benefit payable from the Baltimore City Police Department Death Relief Fund, due to the death of an officer or civilian employee under specified circumstances. The bill also makes changes regarding board of trustee membership and filing of the annual report.

Fiscal Summary

State Effect: None.

Local Effect: None. The bill codifies current practice regarding death benefit payments. Other changes will not affect Baltimore City operations of finances.

Small Business Effect: None.

Analysis

Bill Summary: The bill increases the death benefit payable to a Baltimore City police officer or civilian employee whose death is proximately caused by injuries sustained or by harm inflicted upon the body in the course of performing their duty. For purposes of board of trustee membership, the bill changes references to the rank of captain to the rank of deputy major, to reflect current ranks used in the Baltimore City Police Department. The bill also requires the board of trustees to provide copies of its annual report to all members of the board by electronic mail and post copies on the Baltimore City Police Department's Intranet.

Current Law: The amount of benefit payable on account of the death of an officer or a civilian employee whose death is proximately caused by injuries sustained or by harm inflicted upon the body in the course of the performance of their duty is \$5,000 or such greater amount as may be prospectively and uniformly established by resolution adopted by the board.

The board of trustees of the Baltimore City Police Department Death Relief Fund consists of nine members: one member with the rank of major or higher, one captain, one lieutenant, one sergeant, three patrolmen, one civilian employee, and the Director of Fiscal Affairs Division. With the exception of the Director of Fiscal Affairs, members of the board of trustees must be elected at large, and serve a term of four years. Elections are held biannually with the terms of the major or higher rank, sergeant and two patrolmen terminating at alternate two-year periods with those of the captain, lieutenant, one patrolman, and civilian representative.

The death relief fund must be regularly audited by the Legislative Auditor and periodically audited by an independent certified public accountant. Annually by May 1, the board of trustees must publish a report including the fiscal transactions of the fund for the year as well as a detailed balance sheet. The board must submit copies of the report for posting at all the headquarters and all other buildings, facilities, and installations of the department and must file with its own records one or more copies, which must be made available to any officer or civilian employee of the department or potential beneficiary of any deceased officer or civilian employee.

Background: The Baltimore City Police Department Death Relief Fund was established to pay a special one-time death benefit to eligible beneficiaries (such as, surviving spouse, children) upon the deaths of police officers or civilian employees of the Baltimore City Police Department.

Baltimore City Police Department employees contribute to fund through a payroll deduction until the fund has a balance of at least \$200,000. If the fund balance falls below \$75,000 the board of trustees may require all employees to contribute up to \$0.10 per week through a payroll deduction until the fund balance reaches \$200,000. The fund currently has a balance of approximately \$479,000. **Exhibit 1** shows the number and amount of death benefits paid from the fund for calendar 2003 through 2009.

Exhibit 1
Baltimore City Police Department Death Relief Fund Payments
Calendar 2003-2009

Year	Dollar Amount	Number of Recipients
2003	\$50,000	5
2004	40,000	4
2005	None	0
2006	60,000	6
2007	10,000	1
2008	10,000	1
2009	20,000*	4
Total	\$190,000	21

*Two cases from 2009 are still pending review by the board of trustees.

Source: Baltimore City

This bill is based on recommendations of an independent audit report of the fund by the City Department of Audits in September 2009. These recommendations include (1) increasing the payable death benefit to \$10,000 because the board of trustees has already begun paying out benefits in that amount and (2) replacing the designation of “captain” with “deputy major” because the City Police Department no longer uses the designation of “captain.”

Additional Information

Prior Introductions: None.

Cross File: HB 226 (Delegate Anderson)(By Request – Baltimore City Administration) and Delegate McHale - Judiciary.

Information Source(s): Baltimore City, Department of Legislative Services

Fiscal Note History: First Reader - February 5, 2010
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