

# HOUSE BILL 1258

L2

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By: **Calvert County Delegation**

Introduced and read first time: February 8, 2019

Assigned to: Appropriations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Calvert County – Length of Service Award Program – Death Benefits**

3 FOR the purpose of providing that a qualified volunteer of certain fire and rescue entities  
4 in Calvert County who dies in the line of duty is eligible for a certain death benefit  
5 under certain circumstances; altering a certain definition; and generally relating to  
6 the Length of Service Award Program in Calvert County.

7 BY repealing and reenacting, with amendments,  
8 The Public Local Laws of Calvert County  
9 Section 14–101  
10 Article 5 – Public Local Laws of Maryland  
11 (2002 Edition and August 2017 Supplement, as amended)

12 BY repealing and reenacting, with amendments,  
13 The Public Local Laws of Calvert County  
14 Section 14–102  
15 Article 5 – Public Local Laws of Maryland  
16 (2002 Edition and August 2017 Supplement, as amended)  
17 (As enacted by Chapter 113 of the Acts of the General Assembly of 2018)

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

20 **Article 5 – Calvert County**

21 14–101.

22 (a) (1) In this subtitle the following words have the meanings indicated.

23 (2) “Active volunteer member” means an individual who has accumulated  
24 a minimum of 60 points per calendar year in accordance with the point system set forth in

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 this subtitle.

2 (3) "Certified volunteer" means an active volunteer member whose service  
3 credit is verified through an oath taken by a department.

4 (4) "Credit" means points used by a department to determine eligibility of  
5 an individual to qualify as an active volunteer member.

6 (5) "Department" means a volunteer fire, rescue, emergency medical  
7 services, rescue dive team, or advanced life support unit department or company in Calvert  
8 County, or any combination of those departments or companies.

9 (6) "Point" means a service credit value for activities toward the  
10 qualification of an individual as an active volunteer member.

11 (7) "Qualified volunteer" means an individual who is receiving benefits in  
12 accordance with the requirements of § 14–102(b), (c), (d), [or] (g), **OR (H)** of this subtitle.

13 (b) There is a length of service award program for qualified active volunteer  
14 members of the Calvert County volunteer fire, rescue, and emergency medical services  
15 departments.

16 14–102.

17 (a) Any individual who has served as a member of any Calvert County volunteer  
18 fire company, Calvert County volunteer rescue squad, or Calvert County rescue dive team  
19 is eligible to receive the following benefits, provided that:

20 (1) The individual is certified in accordance with the provisions of § 14–101  
21 of this subtitle to have served as an active volunteer subsequent to January 1, 1986.

22 (2) Any individual who discontinued active volunteer service prior to  
23 January 1, 1986, may receive credit for the service after being certified in accordance with  
24 the provisions of § 14–104(b) of this subtitle.

25 (b) (1) Beginning January 1, 1992, and on or before June 30, 2015, any  
26 individual who has reached the age of 55 and who has completed a minimum of 25 years of  
27 certified active volunteer service, with any Calvert County volunteer fire company,  
28 volunteer rescue squad, or rescue dive team or any combination of volunteer fire company  
29 service, volunteer rescue squad service, and rescue dive team service, shall receive benefits  
30 in the amount of \$400 per month, for life. Payments shall begin on the first day of the first  
31 month following eligibility and payments shall be made directly to the volunteer entitled  
32 to the benefits.

33 (2) Beginning July 1, 2015, any individual who has reached the age of 50  
34 and who has completed a minimum of 25 years of certified active volunteer service, with  
35 any Calvert County volunteer fire company, volunteer rescue squad, or rescue dive team or

1 any combination of volunteer fire company service, volunteer rescue squad service, and  
2 rescue dive team service, shall receive benefits in the amount of \$400 per month, for life.  
3 Payments shall begin on the first day of the first month following eligibility and payments  
4 shall be made directly to the volunteer entitled to the benefits.

5 (c) An additional payment of \$10 per month shall be added to the benefits  
6 described in Subsection (b) of this section, for each full year of volunteer service in excess  
7 of 25 years.

8 (d) In the event that any active volunteer becomes disabled during the course of  
9 the volunteer's service as a volunteer fireman, rescue squad member, or rescue dive team  
10 member while actively engaged in providing the services and in the event that the disability  
11 prevents the volunteer from pursuing the normal occupation of the volunteer and that the  
12 disability is of a permanent nature, as certified by the State Workers' Compensation  
13 Commission or other competent medical authority as designated by the Board of County  
14 Commissioners of Calvert County, then the volunteer is entitled to receive the benefits  
15 prescribed in Subsection (b) and any other benefits the volunteer may be entitled to  
16 regardless of age or length of service. These benefits shall begin on the first day of the first  
17 month following the establishment of the permanency of the disability.

18 (e) Beginning July 1, 2015, in the event a qualified volunteer, who has reached  
19 the age of 50 and has completed a minimum of 25 years of certified active volunteer service,  
20 dies while receiving benefits:

21 (1) If married at the time of death:

22 (i) The surviving spouse of the volunteer is entitled to benefits equal  
23 to 50% of the benefits earned by the deceased volunteer; and

24 (ii) These benefits shall terminate upon death or remarriage of the  
25 surviving spouse; or

26 (2) If not married at the time of death:

27 (i) An alternate beneficiary designated by the volunteer, who is a  
28 child, grandchild, or great-grandchild of the volunteer, is entitled to benefits equal to 50%  
29 of the benefits earned by the deceased volunteer; and

30 (ii) These benefits shall terminate upon the earlier of:

31 1. Ten years of benefits;

32 2. Death of the alternate beneficiary; or

33 3. Marriage of the alternate beneficiary.

34 (f) In the event that a volunteer who has completed 25 years of certified service

1 dies prior to receiving any benefits under this section:

2 (1) If married at the time of death:

3 (i) The surviving spouse of the volunteer is entitled to benefits equal  
4 to 50% of the benefits earned by the deceased volunteer; and

5 (ii) These benefits shall terminate upon death or remarriage of the  
6 surviving spouse; or

7 (2) If not married at the time of death:

8 (i) An alternate beneficiary designated by the volunteer, who is a  
9 child, grandchild, or great-grandchild of the volunteer, is entitled to benefits equal to 50%  
10 of the benefits earned by the deceased volunteer; and

11 (ii) These benefits shall terminate upon the earlier of:

12 1. Ten years of benefits;

13 2. Death of the alternate beneficiary; or

14 3. Marriage of the alternate beneficiary.

15 (g) (1) In the event a qualified volunteer who has completed 25 years of  
16 certified service dies, a burial benefit up to \$6,000 shall be payable.

17 (2) In the event a volunteer who is receiving benefits under Subsection (h)  
18 of this section dies, a burial benefit up to \$240 for each year of certified service shall be  
19 payable.

20 (h) In the event that any active volunteer fireman, squad member, or rescue dive  
21 team member (defined as an individual who has at least two years of qualifying service in  
22 the five preceding years) attains the age of 70 years and fails to achieve the required 25  
23 years of service, the volunteer is entitled to a monthly benefit of the number of years of  
24 certified service completed multiplied by \$8. These benefits shall be payable in the normal  
25 manner.

26 **(I) IN ADDITION TO ANY OTHER BENEFIT PROVIDED UNDER THIS SECTION,**  
27 **IN THE EVENT THAT A QUALIFIED VOLUNTEER DIES IN THE LINE OF DUTY, AS**  
28 **DETERMINED BY THE STATE WORKERS' COMPENSATION COMMISSION, THE**  
29 **QUALIFIED VOLUNTEER IS ELIGIBLE TO RECEIVE A DEATH BENEFIT OF \$6,000.**

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
31 1, 2019.