



**Committee:** GO  
**Committee Review:** At a future date  
**Staff:** Christine Wellons, Chief Legislative Attorney  
**Purpose:** To receive testimony – no vote expected

AGENDA ITEM #6  
November 18, 2025  
**Public Hearing**

## SUBJECTS

Expedited Bill 32-25, Employees' Retirement System - Survivor Benefits - Death During Line of Duty (the "HERO Act")

Lead Sponsor: Councilmembers Glass and Katz

Co-Sponsors: Council President Stewart and Councilmembers Friedson, Balcombe, Fani-González, Luedtke, Albornoz, Mink, and Sayles

## EXPECTED ATTENDEES

Members of the public

## COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

- Receive public testimony

## DESCRIPTION/ISSUE

Expedited Bill 32-25 would:

- (1) increase death benefits to spouses of Group G members whose deaths are service-connected; and
- (2) generally amend the law regarding the employees' retirement system, including pension benefits and other benefits available to survivors upon service-connected deaths.

## SUMMARY OF KEY DISCUSSION POINTS

- N/A

## This report contains:

Staff Report	Pages 1-2
Expedited Bill 32-25	© 1
Climate Assessment	© 6
Racial Equity and Social Justice Impact Statement	© 8
Fiscal Impact Statement Extension Request	© 10

Economic Impact Statement: Not available as of 11/13/2025; will be available at [Racial Equity and Social Justice, Economic, and Climate Impact Statements - Office of Legislative Oversight- Montgomery County, Maryland](#)

**Alternative format requests for people with disabilities.** If you need assistance accessing this report you may [submit alternative format requests](#) to the ADA Compliance Manager. The ADA Compliance Manager can also be reached at 240-777-6197 (TTY 240-777-6196) or at [adacompliance@montgomerycountymd.gov](mailto:adacompliance@montgomerycountymd.gov)

**MEMORANDUM**

November 13, 2025

TO: County Council

FROM: Christine Wellons, Chief Legislative Attorney

SUBJECT: Expedited Bill 32-25, Employees' Retirement System - Survivor Benefits - Death During Line of Duty (the "HERO Act")

PURPOSE: Public Hearing – receive testimony

Expedited Bill 32-25, Employees' Retirement System - Survivor Benefits - Death During Line of Duty (the "HERO Act"), was introduced on October 21, 2025. The Lead Sponsors are Councilmembers Glass and Katz. The Co-Sponsors are Council President Stewart and Councilmembers Friedson, Balcombe, Fani-González, Luedtke, Albornoz, Mink, and Sayles.

A public hearing on the bill is scheduled for November 18 at 1:30 p.m. A Committee worksession of the Government Operations and Fiscal Policy (GO) Committee will be held at a later date.

Expedited Bill 32-25 would:

- (1) increase death benefits to spouses of Group G members whose deaths are service-connected; and
- (2) generally amend the law regarding the employees' retirement system, including pension benefits and other benefits available to survivors upon service-connected deaths.

**BACKGROUND**

The main purposes of the bill are to:

- maintain existing survivor benefit options for spouses and children of career firefighters (Group G members) who are killed in the line of duty, while adding an option for the spouse to receive a pension as if the member had at least 20 years of credited service;
- ensure that benefits are received expeditiously following a line of duty death; and
- reaffirm the County's commitment to honoring the critical work of the County's first responders and public safety officials.

## BILL SPECIFICS

Under Chapter 33, Article III {Employees' Retirement System} of the County Code, a surviving spouse or child of a member of Group G who died during the line of duty is entitled to benefits "as if the member had been receiving a service-connected disability pension on the date of the member's death and had selected a joint and survivor pension option of 100 percent of the amount payable to the member." Alternatively, if the member died after becoming eligible to vest or retire, the surviving spouse or child is eligible to receive "a benefit equal to the yearly amount of benefits that would have been payable if the member had vested or retired immediately before death and had elected a 100-percent joint and survivor pension option."

Expedited Bill 32-25 would expand upon the existing death benefits so that the surviving spouse would have the ability to select between three options:

- the benefits the spouse would have received if the member had been receiving a service-connected disability pension on the date of the member's death and had selected a joint and survivor pension option of 100 percent of the amount payable to the member;
- the benefits the spouse would have received if the member had terminated employment on the day before the date of death with exactly twenty years of credited service and had elected a 100 percent joint and survivor pension option; or
- if the member died after becoming eligible to vest or retire, the benefits that would have been payable if the member had vested or retired immediately before death and had elected a 100-percent joint and survivor pension option.

The benefit selected by the surviving spouse would become payable upon the date the Group G member died. In addition, the benefit would be required to be paid beginning on the first of the month following the date the Group G member died.

The death benefits available through the retirement system under the County Code are in addition to death benefits available to surviving spouses and children under collectively bargained agreements. *See, e.g.,* Sections 20.10 {Lump Sum Death Benefit} and 20.11 {Line of Duty Death Benefit} of the Agreement Between Montgomery County Career Fire Fighters Association, International Association of Fire Fighters, Local 1664, AFL-CIO and Montgomery County Government/Montgomery County, Maryland for the Years July 1, 2024 Through June 30, 2026 (available at [IAFF-CBA-2024-2026-Final.pdf](#)).

### This packet contains:

Expedited Bill 32-25  
Climate Assessment  
Racial Equity and Social Justice Impact Statement  
Fiscal Impact Statement Extension Request

### Circle #

1  
6  
8  
10

Economic Impact Statement: Not available as of 11/13/2025; will be available at [Racial Equity and Social Justice, Economic, and Climate Impact Statements - Office of Legislative Oversight-Montgomery County, Maryland](#)

Expedited Bill No. 32-25  
Concerning: Employees' Retirement  
System – Survivor Benefits – Death  
During Line of Duty  
Revised: 10/21/2025 Draft No. 2  
Introduced: October 21, 2025  
Expires: December 7, 2026  
Enacted: \_\_\_\_\_  
Executive: \_\_\_\_\_  
Effective: \_\_\_\_\_  
Sunset Date: None  
Ch. \_\_\_\_\_, Laws of Mont. Co. \_\_\_\_\_

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

---

Lead Sponsors: Councilmembers Glass and Katz  
Co-Sponsors: Council President Stewart and Councilmembers Friedson, Balcombe, Fani-González,  
Luedtke, Albornoz, Mink, and Sayles

---

### AN EXPEDITED ACT to:

- (1) increase death benefits to spouses of Group G members whose deaths are service-connected; and
- (2) generally amend the law regarding the employees' retirement system, including pension benefits and other benefits available to survivors upon service-connected deaths.

By amending

Chapter 33, Personnel and Human Resources  
Section 33-46

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

*The County Council for Montgomery County, Maryland approves the following Act:*

1           **Sec. 1. Section 33-46 is amended as follows:**

2   **33-46. Death benefits and designation of beneficiaries.**

3                                   \*       \*       \*

4           (b)   *Spouse's, or domestic partner's, and children's benefits of a member*  
5                   *whose death is service connected.*

6                                   \*       \*       \*

7           (2)   [The] Except as provided under paragraph (4) of this subsection  
8                   (b), the Chief Administrative Officer must pay death benefits to  
9                   the spouse or domestic partner and child of a Group F or G  
10                  member as if the member had been receiving a service-connected  
11                  disability pension on the date of the member's death and had  
12                  selected a joint and survivor pension option of 100 percent of the  
13                  amount payable to the member, if:

14               (A)   the Group F or G member died while employed by the  
15                      County; and

16               (B)   the employing department, a beneficiary, or another person  
17                      submits satisfactory proof to the Chief Administrative  
18                      Officer that the member's death:

19                   (i)   resulted from injuries the employee received in the  
20                          line of duty or was directly attributable to the  
21                          inherent hazards of the duties the employee  
22                          performed; and

23                   (ii)   was not due to the employee's willful negligence.

24           (3)   [The] Except as provided under paragraph (4) of this subsection  
25                   (b), the Chief Administrative Officer must pay a benefit to the  
26                  spouse or domestic partner and children of a Group G member

who dies on or after July 1, 2004 under the conditions stated in [subsection] paragraph (2) of subsection (b) as if the member had died while receiving a service connected disability retirement benefit of at least 70 percent of the member's final earnings.

(4) Group G – Line of duty death benefits for surviving spouses.

(A) Within 60 days of the death of a Group G member under the conditions stated under paragraph (2) of subsection (b), the surviving spouse may elect to receive:

(i) the benefit the spouse would have received if the member had terminated employment on the day before the date of death with exactly 20 years of credited service and had elected a 100 percent joint and survivor pension option;

(ii) the benefit under paragraph (2) of this subsection (b); or

(iii) if the member died after becoming eligible to vest or retire, the benefit under subsection (e) of this section.

(B) The Chief Administrative Officer must process the spouse's election under subparagraph (A) of this paragraph immediately upon receipt of the election.

(C) The benefit under subparagraph (A) of this paragraph:

(i) becomes payable upon the date the Group G member died; and

(ii) must be paid beginning on the first of the month following the date the Group G member died.

\* \* \*

(e) *Spouse's, or domestic partner's, and children's benefits when an active member eligible for vesting or retirement dies.*

(1) A surviving spouse, domestic partner, or child who is the designated beneficiary of a member who died after becoming eligible to vest or retire, may elect within 60 days after the member's death a benefit equal to the yearly amount of benefits that would have been payable if the member had vested or retired immediately before death and had elected a [100-percent] 100 percent joint and survivor pension option. The payments must begin on the member's normal retirement date if the member was eligible for vesting, or immediately if the member was eligible for retirement.

(2) If the designated beneficiary who would receive a death benefit under paragraph (1) dies before the death benefit payments begin and the member designated a contingent beneficiary, the death benefit under subsection (a) must be paid to the contingent beneficiary designated by the member (or to a person designated by the beneficiary if the member left no enforceable contingent beneficiary designation.)

\* \* \*

**Sec. 2. Short Title.** This Act may be cited as the HERO Act.

**Sec. 3. Effective Date.** The Council declares that this legislation is necessary for the immediate protection of the public interest. This Act takes effect on the date on which it becomes law.



78           **Sec. 4. Retroactivity.** Section 33-46(b)(4), as amended by this Act, must  
79   apply retroactively to the death of a member occurring on or after January 1, 2025. A  
80   surviving spouse of a member who died on or after January 1, 2025 and before the  
81   effective date of this Act may make their election of a benefit under Section 33-  
82   46(b)(4) within 60 days after the effective date of this Act. The benefit under this  
83   Section 3 becomes payable upon the date the member died.

# Climate Assessment

Office of Legislative Oversight

## EXPEDITED BILL 32-25: EMPLOYEES' RETIREMENT SYSTEM – SURVIVOR BENEFITS – DEATH DURING LINE OF DUTY (THE “HERO ACT”)

### SUMMARY

The Office of Legislative Oversight (OLO) anticipates Expedited Bill 32-25 will have no impact on the County's contribution to addressing climate change as it is proposing changes to a retirement system for certain County employees.

---

### BACKGROUND AND PURPOSE OF EXPEDITED BILL 32-25

Currently, a surviving spouse or child of a Group G member County employee who died in the line of duty is entitled to benefits. Group G employees include paid firefighters, fire officers, and rescue service personnel.<sup>1</sup>

Expedited Bill 32-25 would establish a third option for death benefits, in addition to the current two options, to spouses and children of a Group G member who died in the line of duty, as follows:

“The benefits the spouse would have received if the member had terminated employment on the day before the date of death with exactly twenty years of credited service and had elected a 100% joint and survivor pension option.”<sup>2</sup>

The Bill would also establish that any of the three options selected would be payable upon the date of death of the Group G member and it would be required to be paid beginning on the first of the month following the date of death.<sup>3</sup>

Expedited Bill 32-25, Employees' Retirement System – Survivor Benefits – Death During Line of Duty (the “HERO Act”) was introduced by the County Council on October 21, 2025.<sup>4</sup>

---

### ANTICIPATED IMPACTS

As the bill is proposing changes to a retirement system for certain County employees, OLO anticipates Expedited Bill 32-25 will have no impact on the County's contribution to addressing climate change, including the reduction and/or sequestration of greenhouse gas emissions, community resilience, and adaptive capacity.

## RECOMMENDED AMENDMENTS

The Climate Assessment Act requires OLO to offer recommendations, such as amendments or other measures to mitigate any anticipated negative climate impacts.<sup>5</sup> OLO does not offer recommendations or amendments as Expedited Bill 32-25 is likely to have no impact on the County's contribution to addressing climate change, including the reduction and/or sequestration of greenhouse gas emissions, community resilience, and adaptive capacity.

---

## CAVEATS

OLO notes two caveats to this climate assessment. First, predicting the impacts of legislation upon climate change is a challenging analytical endeavor due to data limitations, uncertainty, and the broad, global nature of climate change. Second, the analysis performed here is intended to inform the legislative process, not determine whether the Council should enact legislation. Thus, any conclusion made in this statement does not represent OLO's endorsement of, or objection to, the bill under consideration.

---

## PURPOSE OF CLIMATE ASSESSMENTS

The purpose of the Climate Assessments is to evaluate the anticipated impact of legislation on the County's contribution to addressing climate change. These climate assessments will provide the Council with a more thorough understanding of the potential climate impacts and implications of proposed legislation, at the County level. The scope of the Climate Assessments is limited to the County's contribution to addressing climate change, specifically upon the County's contribution to greenhouse gas emissions and how actions suggested by legislation could help improve the County's adaptive capacity to climate change, and therefore, increase community resilience.

While co-benefits such as health and cost savings may be discussed, the focus is on how proposed County bills may impact GHG emissions and community resilience.

---

## CONTRIBUTIONS

OLO staffer Kaitlyn Simmons drafted this assessment.

---

<sup>1</sup> [Summary Description for Sworn Fire Personnel in Retirement Group G, Montgomery County Employee Retirement Plans, August 2023.](#)

<sup>2</sup> [Introduction Staff Report for Expedited Bill 32-25, Montgomery County Council, October 21, 2025.](#)

<sup>3</sup> [Councilmembers Evan Glass and Sidney Katz Introduce the HERO Act, Press Release, Montgomery County Government, October 21, 2025.](#)

<sup>4</sup> [Ibid.](#)

<sup>5</sup> Bill 3-22, Legislative Branch – Climate Assessments – Required, Montgomery County Council, Effective date October 24, 2022

# Racial Equity and Social Justice (RESJ) Impact Statement

Office of Legislative Oversight

## EXPEDITED BILL 32-25: EMPLOYEES' RETIREMENT SYSTEM - SURVIVOR BENEFITS - DEATH DURING LINE OF DUTY (THE "HERO ACT")

### SUMMARY

---

The Office of Legislative Oversight (OLO) anticipates Expedited Bill 32-25 would have a minimal impact on RESJ in the County. While White community members would disproportionately benefit from the proposed changes to death benefits, any increases in death benefits resulting from this Bill would likely be trivial since it is rare for firefighters to die in the line of duty.

### PURPOSE OF RESJ IMPACT STATEMENTS

---

RESJ impact statements (RESJIS) evaluate the anticipated impact of legislation on racial equity and social justice in the County. RESJ is a **process** that focuses on centering the needs, leadership, and power of Black, Indigenous, and other People of Color (BIPOC) and communities with low incomes. RESJ is also a **goal** of eliminating racial and social inequities. Applying a RESJ lens is essential to achieve RESJ.<sup>1</sup> This involves seeing, thinking, and working differently to address the racial and social inequities that cause racial and social disparities.<sup>2</sup>

### PURPOSE OF EXPEDITED BILL 32-25

---

Currently, a surviving spouse or child of a Group G member County employee who died in the line of duty is entitled to death benefits.<sup>3</sup> Group G employees include paid firefighters, fire officers, and rescue service personnel.<sup>4</sup>

Surviving family members currently have two options available for death benefits. Expedited Bill 32-25 would establish a third option that would offer "[t]he benefits the spouse would have received if the member had terminated employment on the day before the date of death with exactly twenty years of credited service and had elected a 100% joint and survivor pension option." The Bill would also:<sup>5,6</sup>

- Establish that any of the options selected would be payable upon the date of death of the Group G member; and
- Require benefit payments to begin on the first of the month following the date of death.

The Council introduced Expedited Bill 32-25 on October 21, 2025.

This RESJIS builds on the one for Bill 9-24, Group G Pension – Social Security Integration.<sup>7</sup> Please read this RESJIS for background on fire personnel and racial equity.

### ANTICIPATED RESJ IMPACTS

---

To consider the anticipated impact of Bill 32-25 on RESJ in the County, OLO recommends consideration of two related questions:

- Who would primarily benefit or be burdened by this bill?
- What racial and social inequities could passage of this bill weaken or strengthen?

# RESJ Impact Statement

## Expedited Bill 32-25

Bill 32-25 would primarily benefit MCFRS personnel and their families by:

- Providing an additional option for death benefits; and
- Expediting the payment of death benefits following a death in the line of duty.

As noted in the RESJIS for Bill 9-24, local data suggests White people are overrepresented among MCFRS personnel, while BIPOC are underrepresented.<sup>8</sup> Therefore, White community members would disproportionately benefit from the proposed changes to death benefits. However, since it is rare for firefighters to die in the line of duty,<sup>9</sup> any increases in death benefits that result from this Bill would likely be trivial. Therefore, OLO anticipates Bill 32-25 would have a minimal impact on RESJ in the County.

### RECOMMENDED AMENDMENTS

---

The Racial Equity and Social Justice Act requires OLO to consider whether recommended amendments to bills aimed at narrowing racial and social inequities are warranted in developing RESJ impact statements.<sup>10</sup> OLO anticipates Bill 32-25 would have a minimal impact on RESJ in the County. As such, OLO does not offer recommended amendments.

### CAVEATS

---

Two caveats to this racial equity and social justice impact statement should be noted. First, predicting the impact of legislation on racial equity and social justice is a challenging analytical endeavor due to data limitations, uncertainty, and other factors. Second, this RESJ impact statement is intended to inform the legislative process rather than determine whether the Council should enact legislation. Thus, any conclusion made in this statement does not represent OLO's endorsement of, or objection to, the bill under consideration.

---

<sup>1</sup> Definition of racial equity and social justice adopted from [Marlysa Gamblin et al., "Applying Racial Equity to U.S. Federal Nutrition Programs," Bread for the World](#) and [Racial Equity Tools](#).

<sup>2</sup> Ibid.

<sup>3</sup> [Introduction Staff Report for Expedited Bill 32-25, Montgomery County Council, Introduced October 21, 2025](#).

<sup>4</sup> ["Summary Description for Sworn Fire Personnel in Retirement Group G," Montgomery County Employee Retirement Plans, August 2023](#).

<sup>5</sup> Introduction Staff Report for Expedited Bill 32-25.

<sup>6</sup> ["Councilmembers Evan Glass and Sidney Katz Introduce the HERO Act," Press Release, Montgomery County Council, October 21, 2025](#).

<sup>7</sup> [RESJIS for Bill 9-24, Office of Legislative Oversight, April 26, 2024](#).

<sup>8</sup> Ibid, pg. 2.

<sup>9</sup> According to the Maryland Fire-Rescue Service Memorial, seven firefighters in Montgomery County have died in the line of duty over the last 25 years. Refer to [Montgomery County, Maryland Fire-Rescue Service Memorial](#).

<sup>10</sup> [Bill 27-19, Administration – Human Rights – Office of Racial Equity and Social Justice – Racial Equity and Social Justice Advisory Committee – Established, Montgomery County Council](#).



OFFICE OF MANAGEMENT AND BUDGET

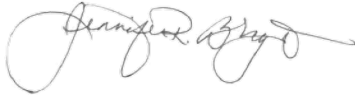
Marc Elrich  
*County Executive*

Jennifer R. Bryant  
*Director*

MEMORANDUM

November 12, 2025

TO: Kate Stewart, President  
Montgomery County Council

FROM: Jennifer R. Bryant, Director  
Office of Management and Budget 

SUBJECT: Extension Request: Fiscal Impact Statement for Expedited Bill 32-25,  
Employees' Retirement System - Survivor Benefits - Death During Line  
of Duty

As required by Section 2-81A of the Montgomery County Code, we are informing you that the transmittal of the Fiscal Impact Statement for the above referenced legislation will be delayed because more time is needed to collect information and conduct a meaningful analysis on the bill. We are requesting an extension and will transmit the Fiscal Impact Statement no later than November 21, 2025.

JRB:ac

cc: Cecily Thorne, Chief of Staff to the Council President, Montgomery County Council  
Craig Howard, Executive Director, Montgomery County Council  
Richard S. Madaleno, Chief Administrative Officer  
Tricia Swanson, Director of Strategic Partnerships  
Faisal Amin, Deputy Director, Office of Management and Budget  
Corey Orlosky, Manager, Office of Management and Budget  
Shantée Jackson, Senior Fiscal and Policy Analyst, Office of Management and Budget

Office of the Director

---

101 Monroe Street • Rockville, Maryland 20850 • 240-777-2800  
[www.montgomerycountymd.gov](http://www.montgomerycountymd.gov)