



Committee: GO

Committee Review: At a future date

Staff: Christine Wellons, Chief Legislative Attorney

Purpose: To introduce agenda item – no vote expected

AGENDA ITEM #3A

July 21, 2026

Introduction

SUBJECT

Expedited Bill 32-26, Employees' Retirement System – Survivor Benefits – Death During Line of Duty – Expanded Eligibility to Groups E and J

Lead Sponsors: Councilmembers Luedtke, Glass, and Katz

EXPECTED ATTENDEES

None

COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

- N/A

DESCRIPTION/ISSUE

Expedited Bill 32-26 would:

- (1) increase death benefits to spouses, domestic partners, and children of Group E and Group J 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.

This report contains:

Staff Report

Expedited Bill 32-26

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M E M O R A N D U M

July 16, 2026

TO: County Council

FROM: Christine Wellons, Chief Legislative Attorney

SUBJECT: Expedited Bill 32-26, Employees' Retirement System – Survivor Benefits – Death During Line of Duty – Expanded Eligibility to Groups E and J

PURPOSE: Introduction – no Council votes required

Expedited Bill 32-26, Employees' Retirement System – Survivor Benefits – Death During Line of Duty – Expanded Eligibility to Groups E and J, is scheduled for introduction on July 21, 2026. The Lead Sponsors are Councilmembers Luedtke, Glass, and Katz. A public hearing is scheduled for June 15, 2026.

Expedited Bill 32-26 would:

- (1) increase death benefits to spouses, domestic partners, and children of Group E and Group J 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

On December 9, 2025, the Council enacted the "HERO Act": Council Bill 35-25, which increased survivor benefits available when police officers or firefighters (i.e., members of retirement groups F or G) are killed in the line of duty. See [Montgomery County Council - Legislative Information Management System – bill details](#)

The purpose of Expedited Bill 32-26 is to make those same survivor benefits available when deputy sheriffs, correctional officers, or certain emergency communications center personnel (i.e., members of retirement groups E or J) are killed in the line of duty.

BILL SPECIFICS

Expedited Bill 32-26 would expand upon existing survivor benefits when a Group E or J member is killed in the line of duty. The survivor 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 25 years of total credited service, as described in Section 33-41, 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 survivor would become payable upon the date the member died. In addition, the benefit would be required to be paid beginning on the first of the month following the date the member died.

The death benefits available through the retirement system under the County Code are in addition to any death benefits available to surviving spouses and children under collectively bargained agreements.

This packet contains:
Expedited Bill 32-26

Circle #
1

Expedited Bill No. 32-26
Concerning: Employees' Retirement
System – Survivor Benefits – Death
During Line of Duty – Expanded
Eligibility to Groups E and J
Revised: 6/11/2026 Draft No. 1
Introduced: _____
Expires: December 7, 2026
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsors: Councilmembers Luedtke, Glass, and Katz

AN EXPEDITED ACT to:

- (1) increase death benefits to spouses, domestic partners, and children of Group E and Group J 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

Boldface	<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:

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

33-46. Death benefits and designation of beneficiaries.

* * *

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

* * *

(2) Except as provided under paragraph (4) of this subsection (b), the Chief Administrative Officer must pay death benefits to the spouse or domestic partner and child of a Group F, [or] Group G, Group E, or Group J member 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, if:

(A) the Group F, [or] Group G, Group E, or Group J member died while employed by the County; and

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

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

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

(3) Except as provided under paragraph (4) of this subsection (b), the Chief Administrative Officer must pay a benefit to the spouse or domestic partner and children of a Group G member who dies on

or after July 1, 2004, [or] of a Group F member who dies on or after January 1, 2025, or of a Group E or J member who dies on or after July 1, 2026, under the conditions stated in 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 F, [or] Group G, Group E, or Group J – Line of duty death benefits for surviving spouses or domestic partners and children.*

(A) Within 60 days of the death of a Group F, [or] Group G, Group E, or Group J member under the conditions stated under paragraph (2) of subsection (b), the surviving spouse or domestic partner and children may elect to receive:

(i) upon the death of a Group F member, the benefit the spouse or domestic partner and children would have received if the member had terminated employment on the day before the date of death with exactly 25 years of total credited service, as described in Section 33-41, and had elected a 100 percent joint and survivor pension option;

(ii) upon the death of a Group G member, the benefit the spouse or domestic partner and children would have received if the member had terminated employment on the day before the date of death with exactly 20 years of total credited service, as

described in Section 33-41, and had elected a 100 percent joint and survivor pension option;

(iii) upon the death of a Group E or J member, the benefit the spouse or domestic partner and children would have received if the member had terminated employment on the day before the date of death with exactly 25 years of total credited service, as described in Section 33-41, at an age of at least 46, and had elected a 100 percent joint and survivor pension option;

[(iii)] (iv) the benefit under paragraph (2) of this subsection (b); or

[(iv)] (v) 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 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 F, [or] Group G, Group E, or Group J member died; and

(ii) must be paid beginning on the first of the month following the date the County receives the election of benefit under subparagraph (A) of this paragraph.

* * *

(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 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. 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.

Sec. 3. Construction. This Act must not be construed to: (1) offset, diminish, or alter death benefits provided under a collectively bargained agreement; or (2) reopen a collectively bargained agreement.