

Bill No. 36 - 26
Concerning: Fire and Emergency
Services Commission – Duties and
Responsibilities
Revised: October 20, 2026 Draft No. 2
Introduced: July 21, 2026
Enacted: October 20, 2026
Executive: _____
Effective: _____
Sunset Date: _____
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Councilmember Luedtke

AN ACT to:

- (1) revise the duties, responsibilities, and authorities of the Fire and Emergency Services Commission;
- (2) establish a deadline for the Commission’s annual report and mandatory meetings; and
- (3) generally amend the law regarding fire and rescue services in the County.

By amending

Montgomery County Code
Chapter 21, Fire and Rescue Services
Section 21-2

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 21-2 is amended as follows:

21-2. Fire and Emergency Services Commission.

(a) Established; membership.

(1) There is a County Fire and Emergency Services Commission, composed of ~~[[7]]~~ 9 voting members appointed by the County Executive and confirmed by the County Council. Two members must be County career fire/rescue personnel, 2 members must be volunteer local fire and rescue department personnel, and ~~[[3]]~~ 5 members must have no personal, family, or business connection with the County volunteer or career fire and emergency services. Each member must be a resident of the County. The members should reside in various geographic areas of the ~~[[county]]~~ County and have a variety of occupational backgrounds. Of the 5 members with no personal, family, or business connection to the County volunteer or career fire and emergency services, each member should represent a different Regional Services Center area of the County.

* * *

(d) *Duties, responsibilities and authority.*

(1) The Commission must recommend how the County can:

(A) achieve and maintain effective, efficient, and equitable fire, rescue, and emergency medical services County wide[,];
and

(B) improve the policy, planning, and regulatory framework for all fire, rescue, and emergency services operations.

(2) The Commission must meet at least monthly, and may meet at other times at the call of the chair or a majority of its members.

- (3) The Commission, in addition to any other functions assigned by law or regulation, may:
- (A) advise the Fire Chief, County Executive, and County Council on any matter relating to fire, rescue, and emergency medical services, and review the performance of the County Fire and Rescue Service and any action taken or policy adopted by the Service;
 - (B) advise the Chief, Executive, and Council on County-wide policies, standards, procedures, plans, and programs that should apply to all fire, rescue, and emergency services operations;
 - (C) review and make recommendations regarding the master plan for fire, rescue, and emergency medical services as provided in Section 21-12;
 - (D) recommend and comment on legislation, regulations, and policies that apply to or affect the Fire and Rescue Service;
 - (E) [[review and recommend any appropriate changes in communications and dispatch procedures for emergency communications centers;
 - (F)] recommend guidelines for curriculum and programs of the Public Safety Training Academy and other training programs for fire and emergency services employees and volunteers;
 - [[[(G)]] (F)] recommend to the Chief, Executive, and Council a benefits program to provide financial protection for volunteers and their families if a volunteer becomes injured, disabled, or dies in the line of duty;

55 ~~[[H)]~~ (G) after consulting the LFRD representative,
 56 recommend to the Chief, Executive, and Council policies
 57 and programs to recruit and retain volunteers; and

58 ~~[[I)]~~ (H) promote coordination with other County-wide,
 59 regional, state, and national emergency management
 60 agencies and activities.

61 (4) Review of policies and regulations.

62 (A) The Commission must review and [may] must approve or
 63 disapprove any generally applicable Fire and Rescue
 64 Service policy or regulation proposed by the Fire Chief,
 65 including any regulation that may be issued by the
 66 Executive under this Chapter.

67 (B) Before taking any action under this paragraph, the
 68 Commission must give the Fire Chief, LFRD
 69 representative, employee organization, and the public [a
 70 reasonable opportunity] at least 30 days to comment.

71 (C) If the Commission does not approve or disapprove a
 72 proposed policy within 60 days after receiving it from the
 73 Chief, the policy is [automatically] deemed approved by the
 74 Commission and the Chief may approve and implement the
 75 policy.

76 (D) If the Commission does not approve or disapprove a
 77 proposed regulation within 60 days after receiving it from
 78 the Chief, the regulation is [automatically] deemed
 79 approved by the Commission and must be transmitted to the
 80 Executive for review and promulgation under Chapter 2A
 81 {Administrative Procedures Act}.

(E) Within 5 days of any approval or disapproval under this paragraph, the Commission must notify the Chief and the Executive of the approval or disapproval.

(F) If the Commission disapproves of a policy or regulation under this paragraph, the Executive may proceed with the policy or regulation if:

(i) in the case of a policy:

(aa) the Executive notifies the Council in writing of the disapproval and the Executive's intent to proceed; and

(bb) within 60 days of the notice, the Council does not adopt a resolution disapproving of the policy; or

(ii) in the case of a proposed regulation:

(aa) the Executive submits to the Council the proposed regulation under Method (1);

(bb) the Executive includes with the submission to the Council all comments received from the Commission and members of the public regarding the proposed regulation; and

(cc) the Council approves the Method (1) regulation under Chapter 2A.

(G) This paragraph does not apply to:

[(A)] (i) any decision expressly assigned to another person or body by this Chapter;

(ii) an interim order under subsection (e) of this Section;

or

~~[(B)]~~ (ii) any individual personnel action.

(H) At any time prior to the Commission's approval or disapproval of a proposed policy or regulation under this paragraph, the Fire Chief may withdraw the policy or regulation from consideration. After the Fire Chief notifies the Commission that a proposed policy or regulation is withdrawn from consideration, the Commission must not approve or disapprove the proposal unless the Chief resubmits it.

(e) Interim orders.

(1) If necessary for the safety of the County in the determination of the Fire Chief, the Fire Chief may issue and implement an interim order in the form of:

(A) a temporary generally applicable policy; or

(B) an emergency regulation under Chapter 2A.

(2) The duration of the interim order must not exceed 90 days unless the Fire Chief submits the policy or regulation to the Commission for approval or disapproval pursuant to subsection (d) of this Section.

~~[(e)]~~ (f) ~~[Meeting]~~ Meetings with Executive and Council. [The

Commission must meet with the Executive or the Chief Administrative Officer periodically to discuss matters under the Commission's purview]

Within 60 days after submission of an annual report under subsection (f), and more frequently at the request of the Executive, the Council President, or a majority of the Council, the Commission must meet with:

(1) the Executive; and

(2) the Council or, at the discretion of the Council President or a majority of the Council, a committee of the Council responsible for public safety matters.

~~[(f)]~~ (g) *Annual report.*

(1) The Commission must forward to the Executive and Council an annual report [describing Commission recommendations and activities] by September 1 of each year.

(2) The annual report must describe the activities and recommendations of the Commission for the prior fiscal year.

~~[(g)]~~ (h) *Removal.* The Executive, with the approval of the Council, may remove any Commission member for cause.

~~[(h)]~~ (i) *Advocacy.* The Commission must not engage in any advocacy activity at the State or federal levels unless that activity is approved by the Office of Intergovernmental Relations.

(j) *Staffing.*

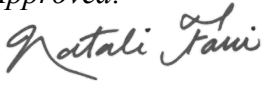
(1) The Executive must designate staff, including alternate staff if the primary staff is unavailable, to support the work of the Commission.

(2) The designated staff must provide administrative support to the Commission, including scheduling, records management, the preparation and publication of required records, and the transmittal of decisions and recommendations of the Commission.

(3) The chair of the Commission must notify the Executive immediately in writing if the designated staff and alternate staff are absent or otherwise not providing necessary administrative support to the Commission.

160 (k) Construction. This Section must not be construed to require the Fire Chief
 161 to submit to the Commission any proposed policy or regulation agreed to
 162 by the County and a certified representative under a collective bargaining
 163 agreement.

Approved:



October 20, 2026

Natali Fani-González, President, County Council

Date

Approved:

Marc Elrich, County Executive

Date

This is a correct copy of Council action.

Sara R. Tenenbaum, Clerk of the Council

Date