1	H.66
2	Introduced by Representatives Yantachka of Charlotte and Sibilia of Dover
3	Referred to Committee on
4	Date:
5	Subject: Public safety; law enforcement officers; survivors benefits
6	Statement of purpose of bill as introduced: This bill proposes to provide the
7	same monetary benefit currently available to survivors of firefighters and
8	emergency personnel to survivors of law enforcement officers.
9	An act relating to survivor benefits for law enforcement officers
10	It is hereby enacted by the General Assembly of the State of Vermont:
11	Sec. 1. 20 V.S.A. chapter 181 is amended to read:
12	CHAPTER 181. BENEFITS FOR THE SURVIVORS OF EMERGENCY
13	PERSONNEL AND LAW ENFORCEMENT OFFICERS
14	§ 3171. DEFINITIONS
15	For purposes of As used in this chapter:
16	(1) "Board" means the emergency personnel survivors benefit review
17	board Emergency Personnel and Law Enforcement Officers Survivors Benefit
18	Review Board.
19	* * *
20	(3) "Emergency personnel" means:

1	(A) firefighters as defined in subdivision 3151(3) of this title;
2	(B) ambulance service, emergency medical <u>personnel</u> , first responder
3	service, and volunteer personnel as defined in 24 V.S.A. § 2651.
4	(4) "Line of duty" means:
5	(A) answering or returning from With respect to emergency
6	personnel:
7	(i) service in answer to a call of the department or service for a
8	fire, or emergency or training drill, including going to and returning from a fire
9	or emergency or participating in a fire or emergency training drill; or
10	(B)(ii) similar service in another town or district to which the
11	department or service has been called for firefighting or emergency purposes.
12	(B) With respect to law enforcement officers:
13	(i) service as a law enforcement officer in answer to a complaint
14	lodged with the department, including going to, returning from, and
15	investigating the complaint or disorder; or
16	(ii) service under orders from the department or in any emergency
17	for which the law enforcement officer serves as a law enforcement officer.
18	* * *
19	(7) "Survivor" means a spouse, child, or parent of emergency personnel
20	or a law enforcement officer.

1	(8) "Law enforcement officer" means a law enforcement officer who
2	has been certified by the Vermont Criminal Justice Training Council pursuant
3	to section 2358 of this title.
4	§ 3172. EMERGENCY PERSONNEL <u>AND LAW ENFORCEMENT</u>
5	OFFICERS SURVIVORS BENEFIT REVIEW BOARD
6	(a)(1) There is created the emergency personnel survivors benefit review
7	board which Emergency Personnel and Law Enforcement Officers Survivors
8	Benefit Review Board that shall consist of the state treasurer State Treasurer or
9	designee, the attorney general Attorney General or designee, the executive
10	director Chief Fire Service Training Officer of the Vermont fire service
11	training council Fire Service Training Council or designee, and the Executive
12	Director of the Vermont Criminal Justice Training Council or designee, one
13	member of the public to represent the interests of emergency personnel
14	appointed by the governor Governor for a term of two years, and one member
15	of the public to represent the interests of law enforcement officers appointed
16	by the Governor for a term of two years.
17	(2) Survivors of emergency personnel, employed by or who volunteer
18	for the state of Vermont, a county or municipality of the state, or a nonprofit
19	entity which provides services in the state, the following individuals who die in
20	the line of duty or of an occupation-related illness may request the board Board
21	award a monetary benefit under section 3173 of this title-:

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1	(A) emergency personnel, employed by or who volunteer for the
2	State of Vermont, a county or municipality of the State, or a nonprofit entity
3	that provides services in the State; or
4	(B) law enforcement officers.
5	(3) The board Board shall be responsible for determining whether to
6	award monetary benefits under section 3173 of this title. A decision to award
7	monetary benefits shall be made by unanimous vote of the board, Board and
8	shall be made within 60 days after the receipt of all information necessary to
9	enable the board Board to determine eligibility.
10	(4) The board Board may request any information necessary for the
11	exercise of its duties under this section. Nothing in this section shall prevent
12	the board Board from initiating the investigation or determination of a claim
13	before being requested by a survivor or employer of emergency personnel or a
14	law enforcement officer.
15	* * *
16	(c) If the board Board decides to award a monetary benefit, the benefit shall
17	be paid to the surviving spouse or, if the emergency personnel or law
18	enforcement officer had no spouse at the time of death, to the surviving child,
19	or equally among surviving children. If the deceased emergency personnel or
20	<u>law enforcement officer</u> is not survived by a spouse or child, the benefit shall

be paid to a surviving parent, or equally between surviving parents. If the

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1	deceased emergency personnel <u>or law enforcement officer</u> is not survived by a
2	spouse, children, or parents, the board Board shall not award a monetary
3	benefit under this chapter.
4	* * *
5	§ 3173. MONETARY BENEFIT
6	(a) The survivors of emergency personnel or a law enforcement officer who
7	dies while in the line of duty or from an occupation-related illness may apply
8	for a payment of \$50,000.00 from the state State.
9	(b) The state treasurer State Treasurer shall disburse from the trust fund
10	Fund established in section 3175 of this title the monetary benefit described in
11	subsection (a) of this section, and shall adopt necessary procedures for the
12	disbursement of such funds.
13	* * *
14	§ 3175. EMERGENCY PERSONNEL <u>AND LAW ENFORCEMENT</u>
15	OFFICERS SURVIVORS BENEFIT SPECIAL FUND
16	(a) The Emergency Personnel and Law Enforcement Officers Survivors
17	Benefit Special Fund is established in the Office of the State Treasurer for the
18	purpose of the payment of claims distributed pursuant to this chapter. The
19	Fund shall comprise appropriations made by the General Assembly and

contributions or donations from any other source. All balances in the Fund at

- the end of the fiscal year shall be carried forward. Interest earned shall remain
- 2 in the Fund.
- 3 (b) [Repealed.]
- 4 Sec. 2. EFFECTIVE DATE
- 5 This act shall take effect on July 1, 2019.