

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on General and Housing to which was referred House Bill  
3 No. 695 entitled “An act relating to survivor benefits for law enforcement  
4 officers” respectfully reports that it has considered the same and recommends  
5 that the bill be amended by striking out all after the enacting clause and  
6 inserting in lieu thereof the following:

7 Sec. 1. SHORT TITLE

8 This act may be cited as Jessica’s Law.

9 Sec. 2. 20 V.S.A. chapter 181 is amended to read:

10 CHAPTER 181. BENEFITS FOR THE SURVIVORS OF EMERGENCY

11 PERSONNEL AND LAW ENFORCEMENT OFFICERS

12 § 3171. DEFINITIONS

13 As used in this chapter:

14 (1) “Board” means the Emergency Personnel and Law Enforcement  
15 Officers Survivors Benefit Review Board.

16 \* \* \*

17 (4) “Line of duty” means:

18 (A) ~~answering or returning from~~ With respect to emergency  
19 personnel:

1                    (i) service in answer to a call of the department or service for a  
2                    fire or emergency ~~or training drill~~, including going to and returning from a fire  
3                    or emergency or participating in a fire or emergency training drill; or

4                    ~~(B)~~(ii) similar service in another town or district to which the  
5                    department or service has been called for firefighting or emergency purposes.

6                    (B) With respect to law enforcement officers:

7                    (i) service as a law enforcement officer in answer to a complaint  
8                    lodged with the department or in response to a disorder, including going to,  
9                    returning from, and investigating or responding to the complaint or disorder; or

10                    (ii) service under orders from the department or in any emergency  
11                    for which the law enforcement officer serves as a law enforcement officer.

12                    \* \* \*

13                    (7) “Survivor” means a spouse, child, or parent of emergency personnel  
14                    or a law enforcement officer.

15                    (8) “Law enforcement officer” means a law enforcement officer who  
16                    has been certified by the Vermont Criminal Justice Council pursuant to section  
17                    2358 of this title.

18                    § 3172. EMERGENCY PERSONNEL AND LAW ENFORCEMENT

19                    OFFICERS SURVIVORS BENEFIT REVIEW BOARD

20                    (a)(1) There is created the Emergency Personnel and Law Enforcement  
21                    Officers Survivors Benefit Review Board, which shall consist of the State

1 Treasurer or designee, the Attorney General or designee, the Chief Fire Service  
2 Training Officer of the Vermont Fire Service Training Council or designee,  
3 ~~and the Executive Director of the Vermont Criminal Justice Council or~~  
4 designee, one member of the public to represent the interests of emergency  
5 personnel appointed by the Governor for a term of two years, and one member  
6 of the public to represent the interests of law enforcement officers appointed  
7 by the Governor for a term of two years.

8 (2) ~~Survivors of emergency personnel, employed by or who volunteer~~  
9 ~~for the State of Vermont, a county or municipality of the State, or a nonprofit~~  
10 ~~entity that provides services in the State, the following individuals~~ who die in  
11 the line of duty or of an occupation-related illness may request the Board  
12 award a monetary benefit under section 3173 of this title:

13 (A) emergency personnel, employed by or who volunteer for the  
14 State of Vermont, a county or municipality of the State, or a nonprofit entity  
15 that provides services in the State; and

16 (B) law enforcement officers.

17 (3) The Board shall be responsible for determining whether to award  
18 monetary benefits under section 3173 of this title. A decision to award  
19 monetary benefits shall be made by unanimous vote of the Board and shall be  
20 made within 60 days after the receipt of all information necessary to enable the  
21 Board to determine eligibility.

1           (4) The Board may request any information necessary for the exercise of  
2 its duties under this section. Nothing in this section shall prevent the Board  
3 from initiating the investigation or determination of a claim before being  
4 requested by a survivor or employer of emergency personnel or a law  
5 enforcement officer.

6   \* \* \*

7           (c) If the Board decides to award a monetary benefit, the benefit shall be  
8 paid to the surviving spouse or, if the emergency personnel or law enforcement  
9 officer had no spouse at the time of death, to the surviving child, or equally  
10 among surviving children. If the deceased emergency personnel or law  
11 enforcement officer is not survived by a spouse or child, the benefit shall be  
12 paid to a surviving parent, or equally between surviving parents. If the  
13 deceased emergency personnel or law enforcement officer is not survived by a  
14 spouse, children, or parents, the Board shall not award a monetary benefit  
15 under this chapter.

16   \* \* \*

17           (f) ~~The~~ Each member of the public appointed by the Governor shall be  
18 entitled to per diem compensation authorized under 32 V.S.A. § 1010 for each  
19 day spent in the performance of ~~his or her~~ the member's duties.

1 § 3173. MONETARY BENEFIT

2 (a) The survivors of emergency personnel or a law enforcement officer who  
3 dies while in the line of duty or from an occupation-related illness may apply  
4 for a payment of \$80,000.00 from the State.

5 \* \* \*

6 § 3175. EMERGENCY PERSONNEL AND LAW ENFORCEMENT

7 OFFICERS SURVIVORS BENEFIT SPECIAL FUND

8 (a) The Emergency Personnel and Law Enforcement Officers Survivors  
9 Benefit Special Fund is established in the Office of the State Treasurer for the  
10 purpose of the payment of claims distributed pursuant to this chapter. The  
11 Fund shall comprise appropriations made by the General Assembly, amounts  
12 transferred by the Emergency Board when the General Assembly is not in  
13 session, and contributions or donations from any other source. All balances in  
14 the Fund at the end of the fiscal year shall be carried forward. Interest earned  
15 shall remain in the Fund.

16 \* \* \*

17 (c) In the event that the balance of the Fund is insufficient to pay monetary  
18 benefits awarded by the Board when the General Assembly is not in session,  
19 the Emergency Board may, pursuant to its authority under 32 V.S.A. § 133,  
20 transfer into the Fund additional amounts necessary to pay the monetary  
21 benefits.

1       Sec. 3. EFFECTIVE DATE

2           This act shall take effect on July 1, 2024.

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6           (Committee vote: \_\_\_\_\_)

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\_\_\_\_\_

8

Representative \_\_\_\_\_

9

FOR THE COMMITTEE