

1 H.57

2 Introduced by Representatives Higley of Lowell, Arsenault of Williston,
3 Bailey of Hyde Park, Burditt of West Rutland, Burt of Cabot,
4 Casey of Hubbardton, Coffin of Cavendish, Dickinson of St.
5 Albans Town, Dobrovich of Williamstown, Galfetti of Barre
6 Town, Goslant of Northfield, Hango of Berkshire, Keyser of
7 Rutland City, Krasnow of South Burlington, Labor of Morgan,
8 Luneau of St. Albans City, Maguire of Rutland City, Masland
9 of Thetford, McFaun of Barre Town, Morgan, L. of Milton,
10 Morgan, M. of Milton, Morrissey of Bennington, Nielsen of
11 Brandon, Noyes of Wolcott, Oliver of Sheldon, Page of
12 Newport City, Powers of Waterford, Southworth of Walden,
13 and Tagliavia of Corinth

14 Referred to Committee on

15 Date:

16 Subject: Public safety; law enforcement officers; survivors' benefits

17 Statement of purpose of bill as introduced: This bill proposes to provide the
18 same monetary benefit currently available to survivors of firefighters and
19 emergency personnel to survivors of law enforcement officers.

20 An act relating to survivor benefits for law enforcement officers

1 It is hereby enacted by the General Assembly of the State of Vermont:

2 Sec. 1. SHORT TITLE

3 This act may be cited as “Jessica’s Law.”

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

5 CHAPTER 181. BENEFITS FOR THE SURVIVORS OF EMERGENCY

6 PERSONNEL AND LAW ENFORCEMENT OFFICERS

7 § 3171. DEFINITIONS

8 As used in this chapter:

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

11 * * *

12 (4) “Line of duty” means:

13 (A) ~~answering or returning from~~ With respect to emergency
14 personnel:

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

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

20 (B) With respect to law enforcement officers:

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

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

6 * * *

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

9 (8) “Law enforcement officer” means a law enforcement officer who
10 has been certified by the Vermont Criminal Justice Council pursuant to section
11 2358 of this title.

12 § 3172. EMERGENCY PERSONNEL AND LAW ENFORCEMENT
13 OFFICERS SURVIVORS BENEFIT REVIEW BOARD

14 (a)(1) There is created the Emergency Personnel and Law Enforcement
15 Officers Survivors Benefit Review Board, which shall consist of the State
16 Treasurer or designee, the Attorney General or designee, the Chief Fire Service
17 Training Officer of the Vermont Fire Service Training Council or designee,
18 ~~and~~ the Executive Director of the Vermont Criminal Justice Council or
19 designee, one member of the public to represent the interests of emergency
20 ~~personnel appointed by the Governor for a term of two years, and one member~~
21 of the public to represent the interests of law enforcement officers. The

1 members of the public shall be appointed by the Governor for a term of two
2 years.

3 (2) Survivors of emergency personnel, employed by or who volunteer
4 for the State of Vermont, a county or municipality of the State, or a nonprofit
5 entity that provides services in the State, the following individuals who die in
6 the line of duty or of an occupation-related illness may request the Board
7 award a monetary benefit under section 3173 of this title;

8 (A) emergency personnel, employed by or who volunteer for the
9 State of Vermont, a county or municipality of the State, or a nonprofit entity
10 that provides access to services in the State; and

11 (B) law enforcement officers.

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

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

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

* * *

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

§ 3173. MONETARY BENEFIT

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

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§ 3175. EMERGENCY PERSONNEL AND LAW ENFORCEMENT OFFICERS SURVIVORS BENEFIT SPECIAL FUND

1 (a) The Emergency Personnel and Law Enforcement Officers Survivors
2 Benefit Special Fund is established in the Office of the State Treasurer for the
3 purpose of the payment of claims distributed pursuant to this chapter. The
4 Fund shall comprise appropriations made by the General Assembly and
5 contributions or donations from any other source. All balances in the Fund at
6 the end of the fiscal year shall be carried forward. Interest earned shall remain
7 in the Fund.

8 * * *

9 Sec. 3. EFFECTIVE DATE

10 This act shall take effect on July 1, 2025.