

1 H.666

2 Introduced by Representative Bartley of Fairfax

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 survivors benefits for law enforcement officers

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

11 Sec. 1. SHORT TITLE

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

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

14 CHAPTER 181. BENEFITS FOR THE SURVIVORS OF EMERGENCY

15 PERSONNEL

16 § 3171. DEFINITIONS

17 As used in this chapter:

18 (1) “Board” means the Emergency Personnel Survivors Benefit Review
19 Board.

1 (2) “Child” means ~~a natural or legally adopted child~~, regardless of age,
2 the deceased’s biological child, foster child, adoptive child, or stepchild; a
3 child for whom the deceased is listed as a parent on the child’s birth certificate;
4 a legal ward of the deceased; a child of the deceased’s spouse; or a child whom
5 the deceased had day-to-day responsibilities to care for and financially support
6 at the time of death or when the child was under 18 years of age.

7 (3) “Domestic partner” means an individual with whom the deceased
8 had an enduring domestic relationship of a spousal nature at the time of death,
9 provided that at the time of death the deceased and the domestic partner:

10 (A) had shared a residence for at least six consecutive months;

11 (B) were at least 18 years of age;

12 (C) were not married to or considered a domestic partner of another
13 individual;

14 (D) were not related by blood closer than would bar marriage under
15 State law; and

16 (E) had agreed between themselves to be responsible for each other’s
17 welfare.

18 (4) “Emergency medical personnel” has the same meaning as in
19 24 V.S.A. § 2651.

1 (5) “Emergency personnel” means:

2 (A) firefighters ~~as defined in subdivision 3151(3) of this title; and~~

3 (B) emergency medical personnel and volunteer personnel ~~as defined~~
4 ~~in 24 V.S.A. § 2651; and~~

5 (C) law enforcement officers.

6 (6) “Firefighter” has the same meaning as in subdivision 3151(3) of this
7 title.

8 (7) “Law enforcement officer” means a law enforcement officer:

9 (A) certified by the Vermont Criminal Justice Council pursuant to
10 section 2358 of this title; and

11 (B) who is employed by a county or municipality of the State.

12 (4)(8) “Line of duty” means:

13 (A) ~~answering or returning from~~ with respect to firefighters,
14 emergency medical personnel, and volunteer personnel:

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

1 (B) with respect to law enforcement officers:

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

5 (ii) service while participating in a training drill; or

6 (iii) service under orders from the department or in any emergency
7 for which the law enforcement officer serves as a law enforcement officer.

8 ~~(5)~~(9) “Occupation-related illness” means a disease that ~~directly arises~~
9 arises directly out of, and in the course of, service, including a heart injury or
10 disease symptomatic within 72 hours from the date of last service in the line of
11 duty, which shall be presumed to be incurred in the line of duty.

12 ~~(6)~~(10) “Parent” means ~~a natural or adoptive parent~~ the deceased’s
13 biological parent, foster parent, adoptive parent, or stepparent; an individual
14 who is listed as a parent on the deceased’s birth certificate; a legal guardian of
15 the deceased; or an individual who had day-to-day responsibilities to care for
16 and financially support the deceased when the deceased was under 18 years of
17 age.

18 (11) “Spouse” includes an individual’s domestic partner or civil union
19 partner.

20 ~~(7)~~(12) “Survivor” means a spouse, child, or parent of deceased
21 emergency personnel.

1 (13) “Volunteer personnel” has the same meaning as in
2 24 V.S.A. § 2651.

3 § 3172. EMERGENCY PERSONNEL SURVIVORS BENEFIT REVIEW
4 BOARD

5 (a)(1) There is created the Emergency Personnel Survivors Benefit Review
6 Board, which shall consist of the State Treasurer or designee, the Attorney
7 General or designee, the Chief Fire Service Training Officer of the Vermont
8 Fire Service Training Council or designee, and ~~one member of the public to~~
9 ~~represent the interests of emergency personnel appointed by the Governor for a~~
10 ~~term of two years~~ the Chair of the Law Enforcement Advisory Board or
11 designee.

12 (2) Survivors of emergency personnel, employed by or who volunteer
13 for the State of Vermont, a county or municipality of the State, or a nonprofit
14 entity that provides services in the State, who die in the line of duty or of an
15 occupation-related illness may, within 24 months after the death of the
16 emergency personnel or within a longer period due to extenuating
17 circumstances at the discretion of the Board, request that the Board award a
18 monetary benefit under section 3173 of this ~~title~~ chapter.

19 (3) The Board shall be responsible for determining whether to award
20 monetary benefits under section 3173 of this chapter. A decision to award
21 monetary benefits shall be made by unanimous vote of the Board and shall be

1 made within 60 days after the receipt of all information necessary to enable the
2 Board to determine eligibility.

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

7 * * *

8 (d) Upon a Board decision to award a monetary benefit under this chapter,
9 the Treasurer shall make payment to the beneficiaries as described in
10 subsection (c) of this section. The Treasurer has up to one year from the date
11 the claim is received to disburse the funds.

12 * * *

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

16 § 3173. MONETARY BENEFIT

17 (a) The survivors of emergency personnel who ~~dies~~ die while in the line of
18 duty or from an occupation-related illness may apply for a payment of
19 \$80,000.00 from the State.

20 * * *

1 § 3175. EMERGENCY PERSONNEL SURVIVORS BENEFIT SPECIAL
2 FUND

3 (a) The Emergency Personnel Survivors Benefit Special Fund is
4 established in the Office of the State Treasurer for the purpose of the payment
5 of claims distributed pursuant to this chapter. The Fund shall comprise
6 appropriations made by the General Assembly, amounts transferred by the
7 Emergency Board when the General Assembly is not in session, and
8 contributions or donations from any other source. All balances in the Fund at
9 the end of the fiscal year shall be carried forward. ~~Interest~~ All interest earned
10 on the Fund balance shall ~~remain in~~ be credited to the Fund.

11 (b) In the event that the balance of the Fund is insufficient to pay monetary
12 benefits awarded by the Board when the General Assembly is not in session,
13 the Emergency Board may, pursuant to its authority under 32 V.S.A. § 133,
14 transfer into the Fund additional amounts necessary to pay the monetary
15 benefits.

16 Sec. 3. EFFECTIVE DATE

17 This act shall take effect on July 1, 2026.