

1 S.89

2 An act relating to expanding survivor benefits

3 The House proposes to the Senate to amend the bill by striking out all after
4 the enacting clause and inserting in lieu thereof the following:

5 Sec. 1. 20 V.S.A. § 3171 is amended to read:

6 § 3171. DEFINITIONS

7 As used in this chapter:

8 * * *

9 (3) "Emergency personnel" means:

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

11 (B) emergency medical personnel and volunteer personnel as defined
12 in 24 V.S.A. § 2651;

13 (C) law enforcement officers who have been certified by the Vermont
14 Criminal Justice Council pursuant to section 2358 of this title;

15 (D) facility employees of the Department of Corrections and
16 Department of Corrections employees who provide direct security and
17 treatment services to offenders under supervision in the community;

18 (E) classified family services employees in the Family Services
19 Division of the Department for Children and Families; and

20 (F) classified medical employees of State-operated therapeutic
21 community residences or inpatient psychiatric hospital units.

1 (4) “Line of duty” means:

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

4 (i) service in answer to a call of the department or service for a
5 fire or emergency or, including going to and returning from a fire or
6 emergency or participating in a fire or emergency training drill; or

7 ~~(B)(ii)~~ similar service in another town or district to which the
8 department or service has been called for firefighting or emergency purposes;

9 (B) with respect to law enforcement officers:

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

13 (ii) service under orders from the department or in any emergency
14 for which the law enforcement officer serves as a law enforcement officer;

15 (C) with respect to covered employees of the Department of
16 Corrections, discharging their duties as employees;

17 (D) with respect to classified family services employees in the
18 Family Services Division of the Department for Children and Families,
19 discharging their duties as employees; and

1 personnel as defined in subdivisions 3171(3)(C)–(F) of this chapter may
2 request the monetary benefit only for deaths that occur on or after July 1, 2026.

3 (3) The Board shall be responsible for determining whether to award
4 monetary benefits under section 3173 of this chapter. To assist the Board with
5 applications involving deaths from occupation-related illness, the Board may
6 pay reasonable fees from the Emergency Personnel Survivors Benefit Special
7 Fund for a medical expert and other services as necessary to review
8 applications and make recommendations to the Board.

9 (4) A decision to award monetary benefits shall be made by unanimous
10 vote of the Board and shall be made within 60 days after the receipt of all
11 information necessary to enable the Board to determine eligibility.

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

16 * * *

17 Sec. 3. 20 V.S.A. § 3175 is amended to read:

18 § 3175. EMERGENCY PERSONNEL SURVIVORS BENEFIT SPECIAL
19 FUND

20 (a) The Emergency Personnel Survivors Benefit Special Fund is
21 established in the Office of the State Treasurer for the purpose of the payment

1 of claims distributed pursuant to this chapter. The Fund shall comprise
2 ~~appropriations~~ transfers made by the General Assembly, amounts transferred
3 by the Emergency Board when the General Assembly is not in session, and
4 contributions or donations from any other source. Expenses incurred pursuant
5 to subdivision 3172(a)(3) of this chapter shall be paid from the Fund. All
6 balances in the Fund at the end of the fiscal year shall be carried forward.
7 Interest earned shall remain in the Fund.

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

13 Sec. 4. EFFECTIVE DATE

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