



General Assembly

January Session, 2001

Raised Bill No. 6886

LCO No. 4230

Referred to Committee on Labor and Public Employees

Introduced by:
(LAB)

***AN ACT CLARIFYING ELIGIBILITY FOR HAZARDOUS DUTY
DISABILITY COMPENSATION BENEFITS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Subsection (a) of section 5-142 of the general statutes is repealed and
2 the following is substituted in lieu thereof:

3 (a) If any employee of the Department of Correction, or any member
4 of the Division of State Police within the Department of Public Safety
5 or of any correctional institution, or any institution or facility of the
6 Department of Mental Health and Addiction Services giving care and
7 treatment to persons afflicted with a mental disorder or disease, or any
8 institution for the care and treatment of persons afflicted with any
9 mental defect, or any full-time enforcement officer of the Department
10 of Environmental Protection, the Department of Motor Vehicles, the
11 Department of Consumer Protection who carries out the duties and
12 responsibilities of sections 30-2 to 30-68m, inclusive, the Office of
13 Adult Probation, the Department of Public Works or the Board of
14 Parole, any probation officer for juveniles or any employee of any
15 juvenile detention home, any member of the police or fire security
16 force of The University of Connecticut, any member of the police or

17 fire security force of Bradley International Airport, any member of the
18 Office of State Capitol Police or any person appointed under section
19 29-18 as a special policeman for the State Capitol building and grounds
20 and the Legislative Office Building and parking garage and related
21 structures and facilities and other areas under the supervision and
22 control of the Joint Committee on Legislative Management, the Chief
23 State's Attorney, the Chief Public Defender, the Deputy Chief State's
24 Attorney, the Deputy Chief Public Defender, any state's attorney, any
25 assistant state's attorney or deputy assistant state's attorney, any public
26 defender, assistant public defender or deputy assistant public
27 defender, any chief inspector or inspector appointed under section 51-
28 286 or any staff member or employee of the Division of Criminal
29 Justice or of the Division of Public Defender Services, or any Judicial
30 Department employee sustains any injury (1) while making an arrest
31 or in the actual performance of such police duties or guard duties or
32 fire duties or inspection duties, or prosecution or public defender or
33 courthouse duties, or while attending or restraining an inmate of any
34 such institution or as a result of being assaulted in the performance of
35 [his] duty and (2) that is a direct result of the special hazards inherent
36 in such duties, the state shall pay all necessary medical and hospital
37 expenses resulting from such injury. If total incapacity results from
38 such injury, such person shall be removed from the active payroll the
39 first day of incapacity, exclusive of the day of injury, and placed on an
40 inactive payroll. [He] Such person shall continue to receive the full
41 salary [which he] that such person was receiving at the time of injury
42 subject to all salary benefits of active employees, including annual
43 increments, and all salary adjustments, including salary deductions,
44 required in the case of active employees, for a period of two hundred
45 sixty weeks from the date of the beginning of such incapacity.
46 Thereafter, such person shall be removed from the payroll and shall
47 receive compensation at the rate of fifty per cent of the salary [which
48 he] that such person was receiving at the expiration of said two
49 hundred sixty weeks so long as [he] such person remains so disabled,
50 except that any such person who is a member of the Division of State

51 Police within the Department of Public Safety shall receive
52 compensation at the rate of sixty-five per cent of such salary so long as
53 [he] such person remains so disabled. Such benefits shall be payable to
54 a member of the Division of State Police after two hundred sixty weeks
55 of disability only if the member elects in writing to receive such
56 benefits in lieu of any benefits payable to the employee under the state
57 employees retirement system. In the event that such disabled member
58 of the Division of State Police elects the compensation provided under
59 this subsection, no benefits shall be payable under chapter 568 or the
60 state employees retirement system until the former of the employee's
61 death or recovery from such disability. The provisions of section 31-
62 293 shall apply to any such payments, and the state of Connecticut is
63 authorized to bring an action or join in an action as provided by said
64 section for reimbursement of moneys paid and which it is obligated to
65 pay under the terms of this subsection. All other provisions of the
66 workers' compensation law not inconsistent [herewith] with this
67 subsection, including the specific indemnities and provisions for
68 hearing and appeal, shall be available to any such state employee or
69 the dependents of such a deceased employee. All payments of
70 compensation made to a state employee under this subsection shall be
71 charged to the appropriation provided for compensation awards to
72 state employees. On and after October 1, 1991, any full-time officer of
73 the Department of Environmental Protection, the Department of Motor
74 Vehicles, the Department of Consumer Protection who carries out the
75 duties and responsibilities of sections 30-2 to 30-68m, inclusive, the
76 Office of Adult Probation, the Department of Public Works or the
77 Board of Parole, any probation officer for juveniles or any employee of
78 any juvenile detention home, the Chief State's Attorney, the Chief
79 Public Defender, the Deputy Chief State's Attorney, the Deputy Chief
80 Public Defender, any state's attorney, assistant state's attorney or
81 deputy assistant state's attorney, any public defender, assistant public
82 defender or deputy assistant public defender, any chief inspector or
83 inspector appointed under section 51-286 or any staff member or
84 employee of the Division of Criminal Justice or the Division of Public

85 Defender Services, or any Judicial Department employee who sustains
86 any injury in the course and scope of [his] employment shall be paid
87 compensation in accordance with the provisions of section 5-143 and
88 chapter 568, except, if such injury is sustained as a result of being
89 assaulted in the performance of [his] duty, any such person shall be
90 compensated pursuant to the provisions of this subsection.

Statement of Purpose:

To clarify state correction officers' eligibility for hazardous duty disability compensation benefits.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]