



General Assembly

**Substitute Bill No. 6886**

*January Session, 2001*

**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1 Subsection (a) of section 5-142 of the general statutes is repealed and  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 member of the Division of State Police within the  
4 Department of Public Safety or of any correctional institution, or any  
5 institution or facility of the Department of Mental Health and  
6 Addiction Services giving care and treatment to persons afflicted with  
7 a mental disorder or disease, or any institution for the care and  
8 treatment of persons afflicted with any mental defect, or any full-time  
9 enforcement officer of the Department of Environmental Protection,  
10 the Department of Motor Vehicles, the Department of Consumer  
11 Protection who carries out the duties and responsibilities of sections  
12 30-2 to 30-68m, inclusive, the Office of Adult Probation, the  
13 Department of Public Works or the Board of Parole, any probation  
14 officer for juveniles or any employee of any juvenile detention home,  
15 any member of the police or fire security force of The University of  
16 Connecticut, any member of the police or fire security force of Bradley  
17 International Airport, any member of the Office of State Capitol Police  
18 or any person appointed under section 29-18 as a special policeman for  
19 the State Capitol building and grounds and the Legislative Office  
20 Building and parking garage and related structures and facilities and

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

56 sixty weeks of disability only if the member elects in writing to receive  
57 such benefits in lieu of any benefits payable to the employee under the  
58 state employees retirement system. In the event that such disabled  
59 member of the Division of State Police elects the compensation  
60 provided under this subsection, no benefits shall be payable under  
61 chapter 568 or the state employees retirement system until the former  
62 of the employee's death or recovery from such disability. The  
63 provisions of section 31-293 shall apply to any such payments, and the  
64 state of Connecticut is authorized to bring an action or join in an action  
65 as provided by said section for reimbursement of moneys paid and  
66 which it is obligated to pay under the terms of this subsection. All  
67 other provisions of the workers' compensation law not inconsistent  
68 [herewith] with this subsection, including the specific indemnities and  
69 provisions for hearing and appeal, shall be available to any such state  
70 employee or the dependents of such a deceased employee. All  
71 payments of compensation made to a state employee under this  
72 subsection shall be charged to the appropriation provided for  
73 compensation awards to state employees. On and after October 1,  
74 1991, any full-time officer of the Department of Environmental  
75 Protection, the Department of Motor Vehicles, the Department of  
76 Consumer Protection who carries out the duties and responsibilities of  
77 sections 30-2 to 30-68m, inclusive, the Office of Adult Probation, the  
78 Department of Public Works or the Board of Parole, any probation  
79 officer for juveniles or any employee of any juvenile detention home,  
80 the Chief State's Attorney, the Chief Public Defender, the Deputy Chief  
81 State's Attorney, the Deputy Chief Public Defender, any state's  
82 attorney, assistant state's attorney or deputy assistant state's attorney,  
83 any public defender, assistant public defender or deputy assistant  
84 public defender, any chief inspector or inspector appointed under  
85 section 51-286 or any staff member or employee of the Division of  
86 Criminal Justice or the Division of Public Defender Services, or any  
87 Judicial Department employee who sustains any injury in the course  
88 and scope of [his] such person's employment shall be paid  
89 compensation in accordance with the provisions of section 5-143 and  
90 chapter 568, except, if such injury is sustained as a result of being

91 assaulted in the performance of [his] such person's duty, any such  
92 person shall be compensated pursuant to the provisions of this  
93 subsection.

**LAB**      *JOINT FAVORABLE SUBST. C/R*                      JUD

**JUD**      *JOINT FAVORABLE*

**PS**      *JOINT FAVORABLE*

**APP**      *JOINT FAVORABLE*