



House of Representatives

General Assembly

File No. 221

January Session, 2005

House Bill No. 5434

House of Representatives, April 7, 2005

The Committee on Labor and Public Employees reported through REP. RYAN, K. of the 139th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT PROVIDING BENEFITS FOR SURVIVING SPOUSES OF POLICE OFFICERS AND FIREFIGHTERS KILLED IN THE LINE OF DUTY.

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

1 Section 1. (NEW) (*Effective October 1, 2005*) Notwithstanding the
2 provisions of any general statute, charter or special act affecting the
3 noncontributory or contributory retirement systems of any
4 municipality of the state, or any special act providing for a police
5 benefit fund or other retirement system, the surviving spouse of any
6 uniformed or regular member of a paid fire department or any regular
7 member of a paid police department killed in the line of duty shall be
8 eligible to receive such member's base salary until the date on which
9 such member would have been eligible to retire from service in the
10 paid fire department or paid police department, as the case may be. On
11 and after such date, the surviving spouse of such member shall be
12 eligible to receive the benefits such member would have been entitled
13 to receive and as are provided for in the retirement system in which

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 06 \$	FY 07 \$
Public Safety, Dept.	GF - Cost	Potential	Potential

Note: GF=General Fund

Municipal Impact:

Municipalities	Effect	FY 06 \$	FY 07 \$
Municipal Police and Fire Departments	STATE MANDATE - Cost	Potential	Potential

Explanation

The bill could result in a cost to state and local police and fire agencies relating to the bill’s requirement that compensation be provided in the amount of the base salary, to the spouse of a police officer or firefighter killed in the line of duty. The surviving spouse is eligible to receive payment, until the time when the police officer or firefighter would have been eligible for retirement benefits.

From FY 04 to date, no sworn state troopers have been killed in the line of duty. The average salary for troopers in Connecticut is approximately \$64,500. This average includes Troopers, Sergeants, and Master Sergeants. Since January of 2003 there have been two municipal police officers killed in the line of duty. The average salary for municipal police officers in Connecticut is approximately \$62,970¹.

Since March 2003 there have been four firefighters killed in the line of duty. Three of the deaths occurred in volunteer departments, and would not meet the criteria for reimbursement. The fourth death was a federal firefighter stationed at the Groton sub-base, and it is unclear

¹ <http://ftp2.census.gov/govs/apes/03locct.txt>, Police with power of arrest

if the individual would meet the criteria for reimbursement. The average salary for paid firefighters in Connecticut is \$58,345².

² <http://ftp2.census.gov/govs/apes/03locct.txt>, Firefighters

OLR Bill Analysis

HB 5434

AN ACT PROVIDING BENEFITS FOR SURVIVING SPOUSES OF POLICE OFFICERS AND FIREFIGHTERS KILLED IN THE LINE OF DUTY**SUMMARY:**

This bill makes the surviving spouse of any uniformed or regular member of a paid fire department or regular member of a police department killed in the line of duty eligible to receive the member's base salary until the date the member would have been eligible to retire. After this date, the bill makes the surviving spouse eligible to receive any benefits the member would have been entitled to receive from the retirement system in which he was participating when he died. (It is not clear if the period during which the surviving spouse receives the member's base salary counts toward the retirement benefits.)

The bill supersedes any statute, charter, or special act affecting the noncontributory or contributory retirement systems of the state or any municipality, or any special act providing for a police benefit fund or other retirement system.

EFFECTIVE DATE: October 1, 2005

BACKGROUND***Workers' Compensation Death Benefits***

By law, surviving spouses of any employee, including firefighters and police officers, whose death results from an accident arising in the course of his employment or from an occupational disease get a weekly benefit of up to \$909 for life or until they remarry, after which the members' surviving dependent children receive the benefit until age 18 or 22, depending on whether they attend school full-time (CGS § 31-306).

Survivor Health Insurance

By law, surviving spouses and dependent children, under age 18, of municipal and state employees, including firefighters and police officers, who die from injuries received in the course of their employment get state health insurance coverage, provided they are not otherwise eligible for another health insurance plan (CGS § 5-259).

Police Association of Connecticut Benefits

The state comptroller must pay relief to the surviving spouse, child, or dependent mother of any police officer killed in the line of duty who is eligible for relief under the provisions of the constitution and bylaws of the Police Association of Connecticut (CGS § 3-122). There is a similar provision for dependents of deceased firefighters deemed eligible by the Connecticut Firefighters Association (CGS § 3-123).

Policemen and Firemen Survivors' Benefit Fund

This fund, which the State Retirement Commission administers, provides income for dependents of deceased policemen and firemen in municipalities that elect to join. Participating officers contribute 1% of their pay to the fund (CGS §§ 7-323c to 7-323e).

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable Change of Reference
Yea 22 Nay 0

Labor and Public Employees Committee

Joint Favorable Report
Yea 11 Nay 0