



General Assembly

Substitute Bill No. 107

February Session, 2006

* SB00107PS_LAB030806 *

AN ACT CONCERNING SURVIVOR'S BENEFITS.

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

1 Section 1. Section 7-433b of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2006*):

3 (a) Notwithstanding the provisions of any general statute, charter or
4 special act to the contrary affecting the noncontributory or
5 contributory retirement systems of any municipality of the state, or
6 any special act providing for a police benefit fund or other retirement
7 system, the survivors of any uniformed or regular member of a paid
8 fire department or any regular member of a paid police department
9 whose death has been suffered in the line of duty shall be eligible to
10 receive such survivor benefits as are provided for in the Workers'
11 Compensation Act, and, in addition, they shall receive such survivor
12 benefits as may be provided for in the retirement system in which such
13 department member was a participant at the time of his death;
14 provided such pension benefits (1) shall not terminate upon the
15 remarriage of the spouse of such member, and (2) shall be adjusted so
16 that the total weekly benefits received by such survivors shall not
17 exceed one hundred per cent of the weekly compensation being paid,
18 during their compensable period, to members of such department [in]
19 at the maximum rate for the same position which was held by such
20 deceased at the time of his or her death. Nothing contained [herein] in

21 this subsection shall prevent any town, city or borough from paying
22 money from its general fund to any such survivors, provided total
23 weekly benefits paid shall not exceed said one hundred per cent of the
24 weekly compensation.

25 (b) Notwithstanding the provisions of any general statute, charter or
26 special act to the contrary affecting the noncontributory or
27 contributory retirement systems of any municipality of the state, or
28 any special act providing for a police or firemen benefit fund or other
29 retirement system, the cumulative payments, not including payments
30 for medical care, for compensation and retirement or survivors
31 benefits under section 7-433c shall be adjusted so that the total of such
32 cumulative payments received by such member or his dependents or
33 survivors shall not exceed one hundred per cent of the weekly
34 compensation being paid, during their compensable period, to
35 members of such department in the same position which was held by
36 such member at the time of his death or retirement. Nothing contained
37 [herein] in this subsection shall prevent any town, city or borough
38 from paying money from its general fund to any such member or his
39 dependents or survivors, provided the total of such cumulative
40 payments shall not exceed said one hundred per cent of the weekly
41 compensation.

42 Sec. 2. (NEW) (*Effective October 1, 2006*) Notwithstanding any
43 provision of the general statutes, or any municipal charter or special
44 act affecting the noncontributory or contributory retirement systems of
45 any municipality of the state, or any special act providing for a police
46 benefit fund or other retirement system, the surviving spouse of any
47 regular member of a paid municipal police department killed in the
48 line of duty may receive, at the option of the municipality, such
49 member's base salary up to the date on which such member would
50 have been eligible to retire from service in the paid police department,
51 provided such salary shall be reduced by the amount of any worker's
52 compensation benefits payable to such surviving spouse. On and after
53 such date, the surviving spouse of such member may receive, at the
54 option of the municipality, the retirement benefits such member would

55 have been entitled to receive and as are provided for in the retirement
56 system in which such member was a participant at the time of his or
57 her death. The payment of such benefits provided under this section
58 shall be approved by the municipality by resolution of its legislative
59 body.

60 Sec. 3. (NEW) (*Effective October 1, 2006*) Notwithstanding any
61 provision of the general statutes or any special act, the surviving
62 spouse of any state employee employed as a firefighter or police officer
63 killed in the line of duty shall be eligible to receive such member's base
64 salary at the maximum rate for the position held by such member until
65 the date on which such member would have been eligible to retire
66 from service, provided such salary shall be reduced by the amount of
67 any workers' compensation benefits payable to such surviving spouse.
68 On and after such date, the surviving spouse of such member shall be
69 eligible to receive the benefits such member would have been entitled
70 to receive and as are provided for in the retirement system in which
71 such member was a participant at the time of his or her death.

72 Sec. 4. Section 31-306 of the 2006 supplement to the general statutes
73 is amended by adding subsection (e) as follows (*Effective from passage*):

74 (NEW) (e) If, on or after January 1, 1999, a police officer dies (1)
75 from injuries sustained in the course of employment as a result of the
76 commission of a crime by another person involving the use of physical
77 force or violence against such police officer, and (2) with no person
78 wholly or partially dependent upon such officer, a weekly
79 compensation shall be paid to the estate of such officer equal to the
80 average weekly earnings of the deceased calculated pursuant to
81 section 31-310 of the 2006 supplement to the general statutes, after such
82 earnings have been reduced by any deduction for federal or state taxes,
83 or both, and for the federal Insurance Contributions Act made from
84 such employee's total wages received during the period of calculation
85 of the employee's average weekly wage pursuant to said section 31-310
86 as of the date of death but not more than the maximum weekly
87 compensation rate set forth in section 31-309 for the year in which the

88 death occurred. Such weekly compensation shall be paid until the date
89 the deceased would have attained sixty-five years of age or for fifteen
90 years, whichever is longer, and shall be subject to commutation as
91 provided in section 31-302.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2006</i>	7-433b
Sec. 2	<i>October 1, 2006</i>	New section
Sec. 3	<i>October 1, 2006</i>	New section
Sec. 4	<i>from passage</i>	31-306

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Joint Favorable Subst. C/R

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