



House of Representatives

General Assembly

File No. 40

January Session, 2007

House Bill No. 6137

House of Representatives, March 13, 2007

The Committee on Public Safety and Security reported through REP. DARGAN of the 115th 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, 2007*) Notwithstanding any
2 provision of the general statutes, or any municipal charter or special
3 act affecting the noncontributory or contributory retirement systems of
4 any 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 regular member of a paid municipal police department or a paid
7 municipal fire department killed in the line of duty may receive, at the
8 option of the municipality, such member's base salary up to the date
9 on which such member would have been eligible to retire from service
10 in the paid police department or paid municipal fire department,
11 provided such salary shall be reduced by the amount of any worker's
12 compensation benefits payable to such surviving spouse. On and after
13 such date, the surviving spouse of such member may receive, at the
14 option of the municipality, the retirement benefits such member would

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

20 Sec. 2. (NEW) (*Effective October 1, 2007*) Notwithstanding any
 21 provision of the general statutes or any special act, the surviving
 22 spouse of any state employee employed as a firefighter or police officer
 23 killed in the line of duty shall be eligible to receive such member's base
 24 salary at the maximum rate for the position held by such member until
 25 the date on which such member would have been eligible to retire
 26 from service, provided such salary shall be reduced by the amount of
 27 any workers' compensation benefits payable to such surviving spouse.
 28 On and after such date, the surviving spouse of such member shall be
 29 eligible to receive the benefits such member would have been entitled
 30 to receive and as are provided for in the retirement system in which
 31 such member was a participant at the time of his or her death.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2007</i>	New section
Sec. 2	<i>October 1, 2007</i>	New section

PS *Joint Favorable*

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 chamber thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 08 \$	FY 09 \$
Dept. of Administrative Services - Workers' Comp. Claims; Public Safety, Dept.; Various State Agencies	GF - Cost	Significant	Significant
Comptroller Misc. Accounts (Fringe Benefits)	GF - Cost	Significant	Significant

Note: GF=General Fund

Municipal Impact:

Municipalities	Effect	FY 08 \$	FY 09 \$
All Municipalities	Potential Cost	See Below	See Below

Explanation

This bill, which makes benefit changes impacting the surviving spouses of police officers and firefighters killed in the line of duty, may result in significant costs to the state and municipalities.

Section 1 allows municipalities, at their option, to provide the surviving spouse of a police officer or a paid firefighter killed in the line of duty such member's base salary until the date the member would have been eligible to retire. Further, the bill allows municipalities, at their option, to provide the surviving spouse the retirement benefits the member would have been entitled to receive from the retirement system.

As this provision is permissive, there will be a cost to municipalities only to the extent that municipalities approve this survivor benefit. The cost would be the difference between the member's base salary and the workers' compensation death benefit award. Spouses of employees killed during the course of employment are eligible for a

weekly workers' compensation death benefit of up to \$1,038 (\$53,976 annual maximum). The average salary for a municipal police officer is approximately \$64,890. The average salary for a paid firefighter is approximately \$60,770. There would also be additional pension benefits costs which will vary depending on the member's age, salary, service and by municipality.

Section 2 makes the surviving spouse of any state employee employed as a firefighter or police officer killed in the line of duty eligible to receive the member's base salary (at the maximum rate for the position held by such member) until such member would have been eligible to retire. The salary must be reduced by the amount of workers' compensation benefits payable to the surviving spouse. Further, the surviving spouse is eligible to receive the retirement benefits that the member would have been entitled to receive from the retirement system.

This provision will result in significant costs to the state if a firefighter or police officer dies in the line of duty. The cost would be the difference between the member's maximum position salary rate and the workers' compensation death benefit award. Spouses of employees killed during the course of employment are eligible for a weekly workers' compensation death benefit of up to \$1,038 (\$53,976 annual maximum). The average salary for a state trooper is approximately \$68,980. The average salary for a paid firefighter is approximately \$60,770.

This provision will result in increased costs to the State Employees Retirement System (SERS) and the state health insurance accounts that are anticipated to be significant if a firefighter or police officer dies in the line of duty. The cost of SERS benefits will vary by the member's age, salary and service and must be calculated by the SERS actuary. The average annual SERS benefit was \$25,500 in FY 06. The average health insurance cost per state employee is \$11,000 in FY 08 and \$12,000 in FY 09.

Under existing state collective bargaining agreements, hazardous

duty members contribute toward their pension and health insurance. It is unclear from the bill whether or not such payments would be made by the surviving spouse during the period of time they are receiving the salary.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**HB 6137*****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 police officer or paid firefighter killed in the line of duty eligible for the employee's base salary until the date the employee would have been eligible to retire, (1) less any amount of workers' compensation benefit payable to the surviving spouse and (2) in the case of state employees, at the maximum rate for the position the employee held.

After the above date, the surviving spouse is eligible to receive the benefits the employee would have been entitled to receive from the retirement system in which he was participating when he died. (It is unclear if the period during which the surviving spouse receives the member's base salary counts towards the retirement benefits.)

In the case of local firefighters and local police officers (1) the bill supersedes any statute, charter, or special act affecting any municipal retirement system or any special act providing for a police benefit fund or other retirement system, (2) the payments are at the municipality's discretion, and (3) the municipality's legislative body must approve the payments by resolution.

EFFECTIVE DATE: October 1, 2007

BACKGROUND***Related Bill***

sSB 1259, also reported favorably by the Public Safety and Security Committee, contains similar provisions to this bill and also eliminates

the “remarriage penalty,” which terminates pension benefits for surviving spouses of firefighters and police officers killed in the line of duty if they remarry.

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable

Yea 20 Nay 0 (03/01/2007)