



General Assembly

February Session, 2020

Raised Bill No. 464

LCO No. 2992



Referred to Committee on PLANNING AND DEVELOPMENT

Introduced by:
(PD)

***AN ACT CONCERNING ELIGIBILITY FOR A CERTAIN MUNICIPAL
DISABILITY BENEFIT.***

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

1 Section 1. Section 7-460d of the 2020 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective July 1, 2020*):

4 (a) Notwithstanding any provision of the general statutes or of any
5 charter or special act, a municipality may, by two-thirds vote of its
6 legislative body or, in a municipality where the legislative body is a
7 town meeting, by two-thirds vote of the board of selectmen, provide for
8 [compensation] payment by such municipality, in accordance with
9 [subsection (b)] the provisions of this section, [by such municipality] of
10 a disability benefit to a retired public safety employee [(1) with a
11 permanent and severe disability caused by a serious bodily injury which
12 (A) arose out of and in the course of his or her employment as a public
13 safety employee, and (B) was suffered in the line of duty and within the
14 scope of his or her employment as a public safety employee, (2) who
15 retired from service as a public safety employee as a result of such

16 disability, and (3)] who (1) while a public safety employee, became
17 permanently disabled as a result of an injury received while in the
18 performance of his or her duty as a public safety employee, (2) became
19 and remains totally disabled for any suitable and comparable job as a
20 public safety employee as a result of such disability and has accordingly
21 retired from service as a public safety employee, (3) is under the age of
22 sixty-five, and (4) is determined to be eligible pursuant to subsection (b)
23 of this section. As used in this section, "public safety employee" means
24 a [retired] uniformed member of such municipality's paid fire
25 department or a [retired] regular member of such municipality's paid
26 police department.

27 (b) (1) A retired public safety employee seeking the disability benefit
28 described in this section shall apply for and receive an initial, and each
29 subsequent, determination of eligibility for such disability benefit in the
30 same manner as provided for determinations of eligibility under section
31 7-432 for disability retirement and for a disability retirement allowance.

32 (2) In the case of a municipality that has accepted the provisions of
33 part II of chapter 133, any eligibility determination for the disability
34 benefit described in this section may be made together with any
35 eligibility determination for disability retirement and for a disability
36 retirement allowance under section 7-432.

37 (3) Each determination of eligibility for the disability benefit
38 described in this section shall be reported to the chief executive officer,
39 legislative body and treasurer of the applicable municipality.

40 [(b)] (c) [The compensation paid to any public safety employee
41 described in subsection (a) of this section shall be in an amount equal to]
42 Upon a report under subdivision (3) of subsection (b) of this section that
43 a retired public safety employee is eligible to receive the disability
44 benefit described in this section, the treasurer of the applicable
45 municipality shall calculate the amount of such disability benefit as the
46 difference between (1) the total [payment] annualized amount of
47 benefits received by such retired public safety employee under [the

48 provisions of chapter 568 and any other benefits] state or federal law,
49 and (2) the regular rate, as defined in section 31-76b, of pay of such
50 retired public safety employee at the time of his or her retirement [. Upon approval by the legislative body or board of selectmen, as
51 applicable, in accordance with subsection (a) of this section, such
52 compensation] as a result of permanent and total disability, provided
53 such retired public safety employee shall provide the treasurer with any
54 financial documentation the treasurer deems necessary to make such
55 calculation.

57 (d) The disability benefit described in this section shall be paid
58 annually, in monthly installments, to such retired public safety
59 employee and shall continue while such retired public safety employee
60 remains permanently and totally disabled, as described in subdivisions
61 (1) and (2) of subsection (a) of this section and as determined in
62 accordance with the provisions of subsection (b) of this section, until
63 such retired public safety employee attains the age of sixty-five.

64 [(c) A municipality providing for compensation in accordance with
65 this section shall establish procedures for the evaluation of any retired
66 public safety employee considered for such compensation to determine
67 such person's eligibility.]

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2020	7-460d

Statement of Purpose:

To require that certain retired public safety employees apply to an existing medical examining board for a determination of eligibility to receive a certain municipal disability benefit.

[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.]