



Senate

General Assembly

File No. 425

January Session, 2025

Substitute Senate Bill No. 1239

Senate, April 2, 2025

The Committee on Public Safety and Security reported through SEN. GASTON of the 23rd Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING THE FALLEN HERO FUND AND PROVIDING HEALTH INSURANCE COVERAGE TO SURVIVORS OF FIRST RESPONDERS WHO ARE KILLED IN THE LINE OF DUTY.

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

1 Section 1. Section 3-122a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2025*):

3 (a) For purposes of this section:

4 (1) "Dependent child" means a child, whether by blood or adoption,
5 of a [police officer] first responder who (A) is under the age of twenty-
6 two and was dependent on the earnings of such [officer] first responder
7 at the time of such [officer's] first responder's death, provided a child
8 shall not be considered dependent if such child provides more than half
9 of such child's own support, is married or is legally adopted by another
10 person, or (B) is any age and is physically or mentally incapacitated and
11 was dependent on the earnings of such [officer] first responder at the
12 time of such [officer's] first responder's death.

13 (2) "Emergency medical technician" has the same meaning as
14 provided in section 20-206jj.

15 (3) "Firefighter" has the same meaning as provided in section 7-313g.

16 (4) "First responder" means an emergency medical technician,
17 firefighter, paramedic or police officer.

18 [(2)] (5) "Killed in the line of duty" means the death of a [police officer]
19 first responder while engaged in the performance of such [officer's] first
20 responder's duties, resulting from an incident, an accident or violence
21 that caused such death or caused injuries that were the direct or
22 proximate cause of such [officer's] first responder's death, including any
23 death that is determined to be occupationally related by a workers'
24 compensation insurance carrier, an employer to whom a certificate of
25 self-insurance has been issued pursuant to section 31-248 or an
26 administrative law judge for workers' compensation purposes under
27 chapter 568. "Killed in the line of duty" does not include the death of a
28 [police officer] first responder through such [officer's] first responder's
29 own wanton or wilful act.

30 [(3)] "Law enforcement unit" has the same meaning as provided in
31 section 7-294a.]

32 (6) "Paramedic" has the same meaning as provided in section 20-206jj.

33 [(4)] (7) "Police officer" has the same meaning as provided in section
34 7-294a.

35 [(5)] (8) "Surviving family" means any person who is a surviving
36 spouse, surviving dependent child, surviving child who is not a
37 dependent child or surviving parent of a [police officer] first responder
38 killed in the line of duty, or a surviving individual listed on such
39 [officer's] first responder's most recent beneficiary form on file with such
40 [officer's employing law enforcement unit] first responder's employer.

41 (b) There is established a fund to be known as the ["Fallen Officer
42 Fund"] "Fallen Hero Fund". The fund may contain any moneys required

43 by law to be deposited in the fund and shall be held by the Treasurer
44 separate and apart from all other moneys, funds and accounts. The
45 interest derived from the investment of the fund shall be credited to the
46 fund. Amounts in the fund may be expended by the Comptroller for
47 purposes of payments pursuant to subsection (c) of this section and
48 reimbursement of municipalities pursuant to subdivision (2) of
49 subsection (c) of section 3-123eee, as amended by this act. Any balance
50 remaining in the fund at the end of any fiscal year shall be carried
51 forward in the fund for the fiscal year next succeeding.

52 (c) (1) After receiving notice, in a form and manner as determined by
53 the Comptroller, from an individual who is a member of the surviving
54 family of a [police officer] first responder who was killed in the line of
55 duty, the Comptroller shall pay, within available appropriations, a lump
56 sum death benefit totaling one hundred thousand dollars from the fund
57 established in subsection (b) of this section to such surviving family, in
58 accordance with regulations adopted pursuant to subsection (e) of this
59 section, provided the surviving family of a [police officer] first
60 responder killed in the line of duty shall not receive more than one such
61 lump sum death benefit. Payments shall be made to surviving families
62 in the order in which notices are received until the amount in such fund
63 is depleted.

64 (2) Any payment made pursuant to subdivision (1) of this subsection
65 shall be in addition to any other benefits for which individuals of such
66 [officer's] first responder's surviving family are eligible and such
67 payments shall not be reduced or offset due to any other benefits,
68 including, but not limited to, workers' compensation or other survivor
69 benefits.

70 (d) Not later than July 1, 2025, and annually thereafter, the
71 Comptroller shall submit a report, in accordance with the provisions of
72 section 11-4a, to the joint standing committee of the General Assembly
73 having cognizance of matters relating to public safety and security. Such
74 report shall include a list of all expenditures made from the fund
75 established by subsection (b) of this section during the prior year, the

76 current balance of such fund and information regarding additional
77 amounts needed for such fund.

78 (e) The Comptroller shall adopt regulations in accordance with the
79 provisions of chapter 54 to implement the provisions of this section,
80 including, but not limited to, application procedures and criteria for
81 awarding grants among individuals who are members of the surviving
82 family, with priority given to awards that would benefit a dependent
83 child or children and a spouse who is a member of the surviving family.
84 The Comptroller may implement policies and procedures necessary to
85 implement the provisions of this section while in the process of adopting
86 such regulations, provided notice of intent to adopt such regulations is
87 published on the eRegulations System not later than twenty days after
88 the date of implementation of such policies and procedures. Any
89 policies and procedures implemented under this subsection shall be
90 valid until the time such regulations are adopted.

91 Sec. 2. Section 3-123aaa of the general statutes is repealed and the
92 following is substituted in lieu thereof (*Effective July 1, 2025*):

93 As used in this section and sections 3-123bbb to 3-123hhh, inclusive,
94 as amended by this act:

95 (1) "First responder" has the same meaning as provided in section 3-
96 122a, as amended by this act;

97 [(1)] (2) "Health Care Cost Containment Committee" means the
98 committee established in accordance with the ratified agreement
99 between the state and the State Employees Bargaining Agent Coalition
100 pursuant to subsection (f) of section 5-278.

101 [(2)] (3) "Killed in the line of duty" has the same meaning as provided
102 in section 3-122a, as amended by this act.

103 [(3)] (4) "Nonprofit employee" means any employee of a nonprofit
104 employer.

105 [(4)] (5) "Nonprofit employer" means (A) a nonprofit corporation,

106 organized under 26 USC 501, as amended from time to time, that (i) has
107 a purchase of service contract, as defined in section 4-70b, or (ii) receives
108 fifty per cent or more of its gross annual revenue from grants or funding
109 from the state, the federal government or a municipality or any
110 combination thereof, or (B) an organization that is tax exempt pursuant
111 to 26 USC 501(c)(5), as amended from time to time.

112 [(5)] (6) "Nonstate public employee" means any employee or elected
113 officer of a nonstate public employer.

114 [(6)] (7) "Nonstate public employer" means a municipality or other
115 political subdivision of the state, including a board of education, quasi-
116 public agency or public library. A municipality and a board of education
117 may be considered separate employers.

118 [(7)] (8) "Partnership plan" means a health care benefit plan offered
119 by the Comptroller to (A) nonstate public employers or nonprofit
120 employers pursuant to section 3-123bbb, as amended by this act, (B)
121 graduate assistants at The University of Connecticut and The University
122 of Connecticut Health Center, (C) postdoctoral trainees at The
123 University of Connecticut and The University of Connecticut Health
124 Center, (D) graduate fellows at The University of Connecticut and The
125 University of Connecticut Health Center, and (E) graduate students of
126 The University of Connecticut participating in university-funded
127 internships as part of their graduate program.

128 [(8)] "Police officer" has the same meaning as provided in section 7-
129 294a.]

130 (9) "State employee plan" means a self-insured group health care
131 benefits plan established under subsection (m) of section 5-259.

132 Sec. 3. Subsection (i) of section 3-123bbb of the general statutes is
133 repealed and the following is substituted in lieu thereof (*Effective July 1,*
134 *2025*):

135 (i) (1) A nonstate public employer that provides coverage pursuant to
136 a partnership plan to a [police officer] first responder who is killed in

137 the line of duty shall continue to provide such coverage to the survivors
138 of such [officer] first responder who were covered under such plan at
139 the time of such [officer's] first responder's death. Such coverage shall
140 continue without break for a period of one year after such [officer's] first
141 responder's death, and may be renewed annually for up to five years.
142 Such nonstate public employer shall facilitate continuation and renewal
143 of such coverage.

144 (2) A nonstate public employer that did not provide coverage
145 pursuant to a partnership plan to a [police officer] first responder who
146 is killed in the line of duty shall apply for coverage pursuant to a
147 partnership plan for those survivors of such [officer] first responder
148 who were receiving health care benefit coverage through a plan offered
149 to such [officer] first responder at the time of such [officer's] first
150 responder's death, at the request of such survivors. The Comptroller
151 shall accept such application upon the terms and conditions applicable
152 to the partnership plan for enrollment and provision of coverage to such
153 survivors for one year. Such enrollment and coverage may be renewed
154 annually for up to five years. Such nonstate public employer shall
155 facilitate initiation and renewal of such enrollment and coverage.

156 Sec. 4. Subsection (c) of section 3-123eee of the general statutes is
157 repealed and the following is substituted in lieu thereof (*Effective July 1,*
158 *2025*):

159 (c) (1) Each employer shall pay monthly the amount determined by
160 the Comptroller, pursuant to this section, for coverage of its employees
161 or its employees and retirees, as appropriate, under a partnership plan.
162 An employer may require each covered employee to contribute a
163 portion of the cost of such employee's coverage under the plan, subject
164 to any collective bargaining obligation applicable to such employer,
165 provided no contribution may be required of an individual receiving
166 coverage as described in subsection (i) of section 3-123bbb, as amended
167 by this act.

168 (2) An employer making payments pursuant to subdivision (1) of this
169 subsection for coverage under a partnership plan of an individual or

170 individuals described in subsection (i) of section 3-123bbb, as amended
 171 by this act, shall be reimbursed by the Comptroller for the total cost of
 172 such payments from the Fallen [Officer] Hero Fund established
 173 pursuant to subsection (b) of section 3-122a, as amended by this act.

174 Sec. 5. Subsection (j) of section 10a-105 of the general statutes is
 175 repealed and the following is substituted in lieu thereof (*Effective July 1,*
 176 *2025*):

177 (j) Said board of trustees may provide health care coverage for
 178 graduate assistants, postdoctoral trainees, graduate fellows and
 179 graduate student interns identified in subdivision [(6)] (8) of section 3-
 180 123aaa, as amended by this act, by enrolling such individuals in a
 181 partnership plan as defined in section 3-123aaa, as amended by this act.
 182 All premiums and expenses resulting from the participation of such
 183 individuals in the partnership plan shall be paid by the university. No
 184 such premiums or expenses shall be charged to the General Fund.

This act shall take effect as follows and shall amend the following sections:

| | | |
|-----------|---------------------|-------------|
| Section 1 | <i>July 1, 2025</i> | 3-122a |
| Sec. 2 | <i>July 1, 2025</i> | 3-123aaa |
| Sec. 3 | <i>July 1, 2025</i> | 3-123bbb(i) |
| Sec. 4 | <i>July 1, 2025</i> | 3-123eee(c) |
| Sec. 5 | <i>July 1, 2025</i> | 10a-105(j) |

Statement of Legislative Commissioners:

Section 5 was added to conform with the changes being made in Section 2.

PS *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

| Agency Affected | Fund-Effect | FY 26 \$ | FY 27 \$ |
|----------------------|-----------------------------|-----------|-----------|
| Revenue Serv., Dept. | GF - Potential Revenue Loss | Minimal | Minimal |
| Comptroller | GF - See Below | See Below | See Below |

Note: GF=General Fund

Municipal Impact:

| Municipalities | Effect | FY 26 \$ | FY 27 \$ |
|------------------------|-----------|-----------|-----------|
| Various Municipalities | See Below | See Below | See Below |

Explanation

The bill, which expands eligibility for the "Fallen Officer Fund" to additional first responders, results in a potential minimal General Fund revenue loss beginning as early as FY 26.

Benefit payments, which total \$100,000 for each qualifying beneficiary, are exempt from the personal income tax under current law. Thus, each additional beneficiary that qualifies under the bill would result in a General Fund revenue loss of approximately \$4,000.

As under existing law, the surviving family is eligible for health insurance coverage under the state partnership plan, which results in a net neutral fiscal impact to the state or municipalities facilitating coverage as the payments will be reimbursed by the Fallen Officer Fund.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of qualifying

beneficiaries.

OLR Bill Analysis**sSB 1239*****AN ACT CONCERNING THE FALLEN HERO FUND AND PROVIDING HEALTH INSURANCE COVERAGE TO SURVIVORS OF FIRST RESPONDERS WHO ARE KILLED IN THE LINE OF DUTY.*****SUMMARY**

This bill expands the availability of the “Fallen Officer Fund” created by PA 24-27 to include additional first responders and correspondingly renames it the “Fallen Hero Fund.” The added first responders include emergency medical technicians (EMTs), firefighters, and paramedics.

As under existing law for police officers, the fund, within available appropriations, gives a lump sum death benefit totaling \$100,000 to a surviving family member or beneficiary of a first responder killed in the line of duty or who sustained injuries that were the direct or proximate cause of the first responder’s death. It requires the comptroller to (1) adopt implementing regulations and (2) annually report on the fund to the Public Safety and Security Committee.

And as under existing law for police officers, this benefit payment is exempt from the state income tax and must not be reduced or offset due to other benefits that may be awarded (e.g., workers’ compensation). The bill also allows certain survivors who were covered by a municipal first responder’s health care benefit plan at the time of the first responder’s death to apply for or keep the coverage for one year after the death and to then renew the coverage annually for up to five years.

Lastly, the bill makes various technical and conforming changes.

EFFECTIVE DATE: July 1, 2025

FALLEN HERO FUND

The bill renames the “Fallen Officer Fund” as the “Fallen Hero Fund.”

Under existing law, this fund is a non-lapsing fund that contains any money required by law to be deposited into it. The treasurer must hold the money separate and apart from other money, funds, and accounts. Interest from fund investments must be credited to the fund. The comptroller may expend funds as payment to the surviving family and to reimburse municipalities (i.e. the employer) for insurance premiums paid on the surviving family's behalf (see below).

Like the law for police officers, the "surviving family" under the bill is a surviving spouse, child (whether dependent or not), or parent of a first responder killed in the line of duty, or the most recently listed surviving beneficiary on file with the first responder's employer.

Similarly, "killed in the line of duty" is a first responder's death while performing his or her duties, due to an incident, accident, or violence that caused the death or caused injuries that were its direct or proximate cause, including any death determined to be occupationally related by a workers' compensation insurance carrier, an employer to whom a certificate of self-insurance was issued, or an administrative law judge for workers' compensation purposes. It does not include the death of a first responder through his or her own wanton or willful act.

Added First Responders

The bill extends the fund's availability to EMTs, firefighters, and paramedics.

By law, an "EMT" is a person certified to practice as an EMT (CGS § 20-206jj(6)). A "firefighter" is any (1) uniformed member of a paid municipal, state, or volunteer fire department and (2) local fire marshal, deputy fire marshal, fire investigator, fire inspector, and certain other classes of inspectors and investigators as determined by the State Fire Marshal and the Codes and Standards Committee (CGS § 7-313g). A "paramedic" is anyone licensed to practice as a paramedic (CGS § 20-206jj(10)).

A "police officer" is a sworn member of an organized local police department or the State Police; appointed constable who performs

criminal law enforcement duties; special police officer appointed under law; or member of a law enforcement unit who performs police duties (CGS § 7-294a).

Payment

The bill extends existing law's procedure for payment to a police officer's family to a first responder's family.

Specifically, when the comptroller receives notice, in a manner he prescribes, from a surviving family member of a first responder killed in the line of duty, he must, within available appropriations, pay a lump sum death benefit totaling \$100,000 from the fund to the surviving family. Each surviving family is limited to one lump sum death benefit and payments must be made in the order in which notices are received until the amount in the fund is depleted.

Existing law and the bill specify that this payment is in addition to any other benefits for which the first responder's surviving family members are eligible and the payments must not be reduced or offset because of these benefits (e.g., workers' compensation or other survivor benefits).

Legislative Report

By law, the comptroller must annually report to the Public Safety and Security Committee a list of the fund expenditures for the prior year, the fund's current balance, and information on additional amounts needed for the fund. Beginning with the July 1, 2026, report, he will include information related to expenditures for the additionally covered first responders.

Regulations and Policies and Procedures

Under the bill, the comptroller must adopt implementing regulations applicable to the fund and first responders, instead of just police officers as under current law. This includes application procedures and criteria for awarding grants among surviving family members, with priority given to awards benefiting a dependent child or children and spouse. The comptroller may implement policies and procedures needed to

implement the bill while in the process of adopting the regulations, as long as he posts a notice of intent to do so on the eRegulations system within 20 days after implementing them. The policies and procedures are valid until the adoption of regulations. (The comptroller has not yet adopted regulations for the fund.)

Under the bill, a “dependent child” is a first responder’s child, whether by blood or adoption, who:

1. is under age 22 and (a) dependent on the first responder’s earnings at the time of the death, (b) does not provide more than half of his or her own support, and (c) is not married or legally adopted by another person; or
2. is any age and is physically or mentally incapacitated and dependent on the first responder’s earnings at the time of the death.

HEALTH INSURANCE

By law, the comptroller must offer “partnership plans” (i.e. health care benefit plans) to nonstate public employers (i.e. any municipality or other political subdivision of the state such as a board of education) and nonprofit employers.

As required under existing law for police officers, the bill requires a nonstate public employer that provided coverage under a partnership plan to a first responder who is killed in the line of duty to continue to provide the coverage to the survivors who were covered under the plan at the time of the first responder’s death. The coverage must continue for one year after the death and may be renewed annually for up to five years. The nonstate public employer must facilitate the coverage continuation and renewal.

As required under existing law for police officers, under the bill, a nonstate public employer that did not provide coverage under a partnership plan to a first responder who is killed in the line of duty must apply for coverage under a partnership plan for, and at the request

of, the survivors who were receiving health care benefit coverage through a plan offered to the first responder at the time of the death. The comptroller must accept the application on the terms and conditions applicable to the partnership plan for enrollment and coverage of the survivors for one year. The enrollment and coverage may be renewed annually for up to five years. The nonstate public employer must help with the initiation and renewal of the enrollment and coverage. Additionally, if the employer's application for partnership plan coverage does not include all its employees because the application is specifically for survivors of a first responder killed in the line of duty, the comptroller must not forward the employer's application to a health care actuary.

The bill exempts anyone receiving this coverage from having to pay monthly premiums for these plans and requires the comptroller to reimburse, from the Fallen Hero Fund, any employer making these premium payments.

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable Substitute

Yea 29 Nay 0 (03/18/2025)