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## 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)