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## OLR Bill Analysis

### sSB 1443

#### ***AN ACT CONCERNING THE PROVISION OF SURVIVOR'S BENEFITS AND HEALTH INSURANCE COVERAGE TO FAMILY MEMBERS OF CORRECTION OFFICERS, COURT SUPPORT SERVICES DIVISION INVESTIGATORS, CRIMINAL JUSTICE DIVISION INVESTIGATORS AND OFFICE OF THE CHIEF PUBLIC DEFENDER INVESTIGATORS KILLED IN THE LINE OF DUTY.***

#### **SUMMARY**

This bill establishes the “Fallen Officer and Investigator Fund” to, within available appropriations, give a lump sum death benefit totaling \$100,000 to a surviving family member or beneficiary of a Department of Correction-employed corrections officer or certain investigators killed in the line of duty or who sustained injuries that were the direct and proximate cause of their death. The investigators to whom the bill applies are those employed by the Judicial Department’s Court Support Services Division, the Division of Criminal Justice, or the Office of the Chief Public Defender. (The bill’s provisions on the fund are substantially similar to those in existing law for the “Fallen Officer Fund,” which applies to police officers killed in the line of duty (CGS § 3-122a; see BACKGROUND).)

Under the bill, this payment is not taxable for state income tax purposes and must not be reduced or offset due to other benefits that may be awarded (e.g., workers’ compensation).

Lastly, the bill requires the comptroller, with approval from the attorney general and insurance commissioner, to obtain a group hospitalization, medical and surgical insurance plan for surviving spouses and dependent children of any correction officer or investigator killed in the line of duty on or after July 1, 2025, if they are not otherwise eligible for insurance.

EFFECTIVE DATE: July 1, 2025, and the tax deduction is applicable

to tax years beginning on or after January 1, 2025.

### **FALLEN OFFICER AND INVESTIGATOR FUND**

The bill establishes the “Fallen Officer and Investigator Fund,” which 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.

Under the bill, “surviving family” means a surviving spouse, surviving child (whether dependent or not), or surviving parent of a correction officer or an investigator killed in the line of duty, or most recently listed beneficiary on file with the officer’s or investigator’s employing state agency.

“Killed in the line of duty” means the death of a correction officer or investigator while performing his or her duties, due to an incident, an accident, or violence that caused their death or caused injuries that were the direct or proximate cause of their death, including any death that is determined to be occupationally related by a workers’ compensation insurance carrier, an employer to whom a certificate of self-insurance has been issued, or an administrative law judge for workers’ compensation purposes. It does not include the death of an officer or investigator through the officer’s or investigator’s own wanton or willful act.

### ***Payment***

When the comptroller receives notice, in a way he prescribes, from a surviving family member of a correction officer or investigator killed in the line of duty, within available appropriations, he must pay a lump sum death benefit totaling \$100,000 from the fund to the surviving family. The bill limits each surviving family to one lump sum death benefit and payments are made in the order in which he receives notices until the amount in the fund is depleted.

The bill specifies that this payment is in addition to any other benefits

the officer's or investigator's surviving family members are eligible for and the payments must not be reduced or offset because of them (e.g., workers' compensation or other survivor benefits).

### ***Legislative Report***

Starting by July 1, 2026, the bill requires the comptroller to annually report to the Judiciary Committee a list of all fund expenditures for the prior year, the fund's current balance, and information on additional amounts needed for the fund.

### ***Regulations and Policies and Procedures***

The bill requires the comptroller to adopt implementing regulations. This includes application procedures and criteria for awarding grants among surviving family members, with priority given to awards benefiting a dependent child or children (see below) and spouse. The comptroller may implement policies and procedures needed to implement the bill while in the process of adopting these regulations, if he posts a notice of intent to adopt regulations on the eRegulations system within 20 days after implementing them. These policies and procedures are valid until regulations are adopted.

Under the bill, a "dependent child" is an officer's or investigator's child, whether by blood or adoption, who is:

1. under age 22 and (a) was dependent on the officer's or investigator'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. any age and physically or mentally incapacitated and dependent on the officer's or investigator's earnings at the time of the death.

## **BACKGROUND**

### ***Related Bill***

sSB 1239 (File 425), favorably reported by the Public Safety and Security Committee, expands the use of the existing "Fallen Officer Fund" for payments to the surviving family of police officers killed in

the line of duty to include emergency medical technicians, firefighters, and paramedics similarly killed and correspondingly renames the fund the “Fallen Hero Fund.”

**COMMITTEE ACTION**

Judiciary Committee

Joint Favorable

Yea     41     Nay     0     (04/08/2025)