
OLR Bill Analysis

SB 443

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 \$100,000 lump sum death benefit to a surviving family member or beneficiary of a Department of Correction's correction 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 bill applies to investigators 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 Hero Fund," which applies to first responders killed in the line of duty (CGS § 3-122a; see BACKGROUND).)

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

By law, surviving family members of a state employee who dies in the line of duty are entitled to monthly payments for up to 10 years in the amount of \$50,000 or \$100,000, depending on the circumstances (see BACKGROUND).

The bill requires the comptroller, with the approval of the attorney general and the insurance commissioner, to arrange and offer a group hospitalization and medical and surgical insurance plan (or more than one plan) to the surviving spouse and dependent children of any

correction officer or investigator killed in the line of duty on or after July 1, 2026. (It is not clear how long a plan must be provided to an eligible surviving spouse and dependent children.) The bill requires that the surviving spouse and dependent children are not otherwise eligible for a group hospitalization and medical and surgical insurance plan for them to qualify for this plan. The law already requires the comptroller to offer a plan to surviving family members while they are receiving benefits related to the death of a state employee in the line of duty (CGS § 5-259(a)(4)) (see BACKGROUND).

EFFECTIVE DATE: July 1, 2026

FALLEN OFFICER AND INVESTIGATOR FUND

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

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 \$100,000 lump sum death benefit 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 (for example, workers' compensation or other survivor benefits).

Legislative Report

Starting by July 1, 2026, the bill requires the comptroller to annually report to both the Judiciary and Labor and Public Employees committees 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 payments 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

Fallen Hero Fund

Under existing law, the Fallen Hero 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. First responders are police officers, firefighters, emergency medical technicians, and paramedics.

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 (such as workers' compensation).

State Employees Who Die in the Line of Duty

By law, surviving family members of a state employee who dies in the line of duty are entitled to equal monthly payments for up to 10 years in the total amount of:

1. \$100,000 for a surviving spouse with a dependent child under age 18, plus \$50 per month for each child under 18 (until the spouse dies or remarries);
2. \$50,000 for a surviving spouse without children under age 18 (until the spouse dies or remarries); and
3. \$50,000 for a dependent parent or parents if there is no surviving spouse or child under age 18 (until both parents die) (CGS § 5-144).

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable
Yea 13 Nay 0 (03/19/2026)