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H.B. 4178: FLOOR ANALYSIS

House Bill 4178 (as reported by the Committee of the Whole)

Sponsor: Representative Scott Shackleton

House Committee: Appropriations Senate Committee: Appropriations

CONTENT

The bill would create the "Public Safety Officers Benefit Act", to do all of the following:

- -- Require the State, subject to an appropriation, to make a one-time payment of \$25,000 to the spouse, dependents, estate, or caregiver of a public safety officer who dies or is permanently and totally disabled as a result of personal injury sustained in the line of duty, in addition to any other benefit that the beneficiary would receive.
- -- Establish the "Public Safety Officers Benefit Fund" in the Department of Treasury and appropriate \$125,000 in general funds to the fund for FY 2003-04.
- -- Require that the Michigan Commission on Law Enforcement Standards (MCOLES) within the Department of State Police spend money from the Fund and promulgate rules to carry out the purpose of the proposed Act.

The bill specifies that the Act would be retroactive and effective October 1, 2003.

The bill would define "public safety officer" as any individual serving a public agency in an official capacity, with or without compensation, as a law enforcement officer, firefighter, rescue squad member, or ambulance crew member. "Law enforcement officer" would mean an individual involved in crime and juvenile delinquency control or reduction or enforcement of criminal law, including police, corrections, probation, parole, bailiffs, or similar court officers. A "firefighter" would be a regularly employed or a volunteer member of a fire department of a city, county, township, village, state university, a community college or a member of the Department of Natural Resources who is employed to fight fires.

"Permanent and total disability" would mean medically determinable consequences of a catastrophic, line-of-duty injury that permanently prevent a former public safety officer from performing any gainful work.

FISCAL IMPACT

The bill would have an indeterminate annual fiscal impact on the State. The bill would require a payment by the State of \$25,000 for each eligible public safety officer who suffered death or permanent and total disability in the line of duty. The incidence of death among public safety officers varies widely from year-to-year. Since the beginning of the FY 2003-04, three police officer deaths have been reported, and no firefighter or corrections officer deaths were reported. Records of public safety officers who have experienced permanent and total disability have been difficult to assemble, but the numbers are thought to be small as the bill's language contains a very narrow standard for establishing permanent and total disability.

The Michigan Commission on Law Enforcement Standards would likely incur some minor additional administrative costs in fulfilling the bill's requirements.

Date Completed: 3-3-04 Fiscal Analyst: Bruce Baker