

PUBLIC SAFETY OFFICERS BENEFIT ACT (EXCERPT)
Act 46 of 2004

28.632 Definitions.

Sec. 2. As used in this act:

(a) "Commission" means the commission on law enforcement standards created under the commission on law enforcement standards act, 1965 PA 203, MCL 28.601 to 28.616.

(b) "Dependent" means any individual who was substantially reliant for support upon the income of the deceased public safety officer.

(c) "Direct and proximate" means that the antecedent event is a substantial factor in the result.

(d) "Firefighter" means a regularly employed member of a fire department of a city, county, township, village, state university, or community college or any authority, district, board, or other entity created in whole or in part by 1 or more cities, counties, villages, or townships, or a member of the department of natural resources who is employed to fight fires. Firefighter includes a volunteer member of a fire department.

(e) "Law enforcement officer" means an individual involved in crime and juvenile delinquency control or reduction or enforcement of the criminal law. Law enforcement officer includes police, corrections, probation, parole, bailiffs, or other similar court officers.

(f) "Line of duty" means either of the following:

(i) Any action which an officer whose primary function is crime control or reduction, enforcement of the criminal law, or suppression of fires is obligated or authorized by rule, regulations, condition of employment or service, or law to perform, including those social, ceremonial, or athletic functions to which the officer is assigned, or for which the officer is compensated, by the public agency he or she serves. For other officers, line of duty means any action the officer is so obligated or authorized to perform in the course or controlling or reducing crime, enforcing the criminal law, or suppressing fires.

(ii) Any action which an officially recognized or designated public employee member of a rescue squad or ambulance crew is obligated or authorized by rule, regulation, condition of employment or service, or law to perform.

(g) "Medical benefit plan" means a plan to provide for the payment of medical, optical, or dental benefits, including, but not limited to, hospital and physician services, prescription drugs, and related benefits.

(h) "Member of a rescue squad or ambulance crew" means an emergency medical technician, a medical first responder, or a paramedic, as those terms are defined in sections 20904, 20906, and 20908 of the public health code, 1978 PA 368, MCL 333.20904, 333.20906, and 333.20908, or an officially recognized or designated employee or volunteer member of a rescue squad or ambulance crew.

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

(j) "Public safety officer" or "officer" means any individual serving a public agency or any authority, district, board, or other entity created in whole or in part by 1 or more cities, counties, villages, or townships, in an official capacity, with or without compensation, as a law enforcement officer, firefighter, or member of a rescue squad or ambulance crew.

(k) "Surviving spouse" means the husband or wife of the deceased officer at the time of the officer's death, and includes a spouse living apart from the officer at the time of the officer's death for any reason.

History: 2004, Act 46, Eff. Oct. 1, 2003;—Am. 2016, Act 284, Imd. Eff. Sept. 27, 2016.

Compiler's note: Enacting section 1 of Act 46 of 2004 provides:

"This act is retroactive and is effective October 1, 2003."