

By: Representative Faulkner

To: Universities and
Colleges; Appropriations

HOUSE BILL NO. 56

1 AN ACT TO AMEND SECTION 37-106-39, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE SCHOLARSHIPS TO THE SPOUSES AND CHILDREN OF FIRST
3 RESPONDERS KILLED IN THE LINE OF DUTY OR WHO BECOME PERMANENTLY
4 AND TOTALLY DISABLED AS THE RESULT OF INJURIES OR WOUNDS WHICH
5 OCCURRED WHILE IN THE LINE OF DUTY; AND FOR RELATED PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 **SECTION 1.** Section 37-106-39, Mississippi Code of 1972, is
8 amended as follows:

9 37-106-39. (1) There is established the Mississippi Law
10 Enforcement Officers * * *, Firefighters and First Responders
11 Scholarship.

12 (2) Except as provided in this section, if any Mississippi
13 law enforcement officer, full-time firefighter or volunteer
14 firefighter or first responder shall suffer or has suffered fatal
15 injuries or wounds or become permanently and totally disabled as a
16 result of injuries or wounds which occurred in the performance of
17 the official and appointed duties of his or her office, his or her
18 spouse, child or children shall be entitled to an eight-semester
19 scholarship without cost, exclusive of books, food, school



20 supplies, materials and dues or fees for extracurricular
21 activities, at any state-supported college or university of his or
22 her choice within this state.

23 (a) No child shall be entitled to receive benefits
24 during any semester or quarter when said child has reached the age
25 of twenty-three (23) years on the first day of said semester or
26 quarter. However, any child who has begun the process of
27 acquiring college credits under the provisions of this section
28 prior to attaining the age of twenty-three (23) years shall be
29 entitled to the full eight-semester scholarship if his or her
30 college instruction was interrupted for any reason.

31 (b) Scholarship benefits shall not accrue hereunder to
32 any person if the wounds or injuries suffered by any law
33 enforcement officer, full-time firefighter or volunteer
34 firefighter or first responder are self-inflicted or if his death
35 is self-induced.

36 (3) Eligibility for renewal of the scholarship shall be
37 evaluated each academic year at the end of each semester or term.
38 As a condition for renewal, a student shall:

39 (a) Make steady academic progress toward a certificate
40 or degree, as outlined in the school Satisfactory Academic
41 Progress Standards and certified by the institution's registrar;
42 and

43 (b) Have a cumulative grade point average of at least
44 2.5 calculated on a 4.0 scale at the end of each academic year.



45 (4) For the purposes of this section, these words and
46 phrases shall be defined as follows:

47 (a) "Mississippi law enforcement officers" shall be
48 defined as follows:

49 (i) "State highway patrolmen" means all law
50 enforcement officers, regardless of department or bureau, of the
51 Mississippi Highway Safety Patrol.

52 (ii) "Municipal police officers" means all law
53 enforcement officers of any municipality who are regular duty
54 personnel on full-time status, auxiliary or reserve officers, or
55 those serving on a temporary or part-time status.

56 (iii) "Sheriffs" and "deputy sheriffs" means all
57 law enforcement officers of full-time duty status on a regular
58 basis serving the sheriff's department of any county, deputy
59 sheriffs who are engaged in administrative or civil duty,
60 auxiliary or reserve deputies, or deputy sheriffs serving in a
61 temporary capacity or part-time basis.

62 (iv) "Constables" means all duly elected
63 constables of any beat of any county within the state while
64 actually engaged in the performance of their duties concerning the
65 criminal laws of the county and state.

66 (v) "Conservation officers" means all duly
67 appointed game wardens employed by the State of Mississippi on a
68 full-time duty status while actually engaged in the performance of
69 their duties concerning the game laws of the state.



70 (vi) "Alcoholic Beverage Control Division agents
71 and inspectors" means all duly appointed agents and investigators
72 of the Alcoholic Beverage Control Division of the Mississippi
73 Department of Revenue on a full-time duty status while actually
74 engaged in the performance of their duties concerning the
75 alcoholic beverage control laws of the state.

76 (vii) Members of the National Guard serving as
77 peace officers when ordered to state emergency duty under
78 authority vested in the Governor by the Constitution and laws of
79 the state.

80 (viii) "Tax commission scales enforcement
81 officers" means all duly appointed scales enforcement officers of
82 the Mississippi Department of Revenue on a full-time duty status
83 while actually engaged in the performance of their duties.

84 (ix) Duly appointed agents of the Mississippi
85 Bureau of Narcotics.

86 (x) Correctional, probation and parole officers
87 employed by the Mississippi Department of Corrections.

88 (b) "Mississippi full-time firefighters" shall be
89 defined as all firefighters employed by any subdivision of the
90 State of Mississippi on a full-time duty status while actually
91 engaged in the performance of their duties, and volunteer
92 firefighters shall be defined as any volunteer firefighter
93 registered with the State of Mississippi or a political



94 subdivision thereof on a volunteer firefighting status while
95 actually engaged in the performance of firefighting duties.

96 (c) "Child" or "children" means natural children,
97 adopted children or stepchildren.

98 (d) "Spouse" means a person who was, at the time of the
99 death of the decedent, legally married to a Mississippi law
100 enforcement officer, full-time firefighter, or volunteer
101 firefighter, or in the case of a law enforcement officer,
102 full-time firefighter or volunteer firefighter who suffered fatal
103 injuries or wounds, prior to or after March 13, 1990, who has not
104 remarried.

105 (e) "First responder" means state and local law
106 enforcement personnel, fire department personnel, emergency
107 medical personnel, emergency management personnel and public works
108 personnel.

109 (5) (a) Any law enforcement officer, full-time firefighter
110 or volunteer firefighter or first responder claiming permanent and
111 total disability shall be qualified or disqualified for a claim
112 under this section based on examination and review of the
113 following four (4) documents:

114 (i) A letter from the officer's * * *,
115 firefighter's or first responder's former supervisor or employer
116 stating whether the officer * * *, firefighter or first responder
117 is disabled as a result of injuries or wounds that occurred in the
118 performance of the official duties of his office;



119 (ii) A statement from the officer's * * *,
120 firefighter's or first responder's physician stating whether the
121 officer * * *, firefighter or first responder is disabled and the
122 reason for that disability;

123 (iii) Verification from the Public Employees'
124 Retirement System; and

125 (iv) Verification from the Social Security
126 Administration.

127 (b) If the law enforcement officer, full-time
128 firefighter or volunteer firefighter or first responder suffered
129 fatal injuries or wounds, a claim under this section shall be
130 based on examination and review of the following two (2)
131 documents:

132 (i) A letter from the officer's * * *,
133 firefighter's or first responder's former supervisor or employer
134 stating whether he suffered fatal injuries in the performance of
135 the official duties of his office; and

136 (ii) A death certificate.

137 (6) Any applicant qualified and desiring a scholarship under
138 the provisions of this section shall apply in writing to the
139 board. The board shall make inquiries into each application and
140 shall make the investigation as it deems proper to establish and
141 validate all claims before a scholarship is granted.

142 **SECTION 2.** This act shall take effect and be in force from
143 and after July 1, 2022.

