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To: State Affairs;
Appropriations A

HOUSE BILL NO. 1697

1 AN ACT TO AUTHORIZE MUNICIPALITIES AND COUNTIES TO ADOPT
2 POLICIES UNDER WHICH THEY ARE AUTHORIZED TO CONTINUE TO PAY, FOR
3 UP TO 30 DAYS, THE FULL REGULAR COMPENSATION OF ANY LAW
4 ENFORCEMENT OFFICER, FIREFIGHTER OR EMERGENCY MEDICAL TECHNICIAN
5 WHO PROTECTS THE PUBLIC INTEREST OF THE MUNICIPALITY OR COUNTY
6 AND WHO IS KILLED IN THE LINE OF DUTY; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** (1) Whenever used in this section, the term:

9 (a) "Covered individual" means any individual who
10 receives monetary compensation for his or her service as a law
11 enforcement officer or firefighter, including a volunteer
12 firefighter and any individual who receives monetary compensation
13 for his or her service as an emergency medical technician as
14 defined in this section when employed by an employer as defined in
15 this section; it does not include employees of independent
16 contractors.

17 (b) "Employer" means a county or municipality that
18 employs, appoints or otherwise engages the services of covered
19 individuals.



20 (c) "Firefighter" means an individual who is trained
21 for the prevention and control of loss of life and property from
22 fire or other emergencies, who is assigned to firefighting
23 activity, and is required to respond to alarms and performs
24 emergency actions at the location of a fire, hazardous materials
25 or other emergency incident.

26 (d) "Law enforcement officer" means any lawfully sworn
27 officer or employee of the state or any political subdivision of
28 the state whose duties require the officer or employee to
29 investigate, pursue, apprehend, arrest, transport or maintain
30 custody of persons who are charged with, suspected of committing,
31 or convicted of a crime, whether the officer is on regular duty on
32 full-time status, an auxiliary or reserve officer, or is serving
33 on a temporary or part-time status.

34 (e) "Cause of death" means any cause of death that
35 would be covered under the Public Safety Officers' Benefits Act of
36 1976, the Hometown Heroes Survivors Benefits Act of 2003,
37 generally codified at 42 USCS Chapter 46, or the Safeguarding
38 America's First Responders Act of 2020.

39 (f) "Emergency medical technician" means a person
40 licensed under Section 41-59-1 et seq., to provide emergency
41 medical services as an emergency medical technician-ambulance,
42 emergency medical technician-advanced, emergency medical
43 technician-paramedic, or emergency medical



44 technician-nurse-paramedic and who is employed by a non-private
45 entity.

46 (2) (a) (i) The governing authorities of any municipality
47 and the board of supervisors of any county may establish a policy
48 by a resolution adopted and place on its minutes under which the
49 municipality or county is authorized, in its discretion, to pay to
50 the covered individuals beneficiary the full amount of the covered
51 individual's regular compensation for up to thirty (30) days when
52 a covered individual, while engaged in the performance of the
53 person's official duties, dies or receives accidental or
54 intentional bodily injury that results in the loss of the covered
55 individual's life and such death is the result of a covered cause
56 of death, provided that the death is not the result of suicide and
57 that the bodily injury is not intentionally self-inflicted.

58 (ii) If the governing authorities of a municipality
59 or the board of supervisors of a county adopts a policy pursuant
60 to subparagraph (i) of this subsection (2), then within one (1)
61 day after the date of death of a covered individual who dies while
62 in performance of his or her duties, as set under this subsection,
63 the governing authorities of the municipality or the board of
64 supervisors, as the case may be, may make a payment in the amount
65 set out under subparagraph (i) of this subsection (2) to the
66 beneficiary of the covered individual.

67 (b) The payment provided for in this subsection shall
68 be made to the beneficiary who was designated in writing by the



69 covered individual, signed by the covered individual and delivered
70 to the employer during the covered individual's lifetime. If no
71 such designation is made, then the payment shall be made to the
72 surviving child or children and spouse in equal portions, and if
73 there is no surviving child or spouse, then to the parent or
74 parents. If a beneficiary is not designated and there is no
75 surviving child, spouse or parent, then the payment shall be made
76 to the covered individual's estate.

77 (c) The payment made in this subsection is in addition
78 to any workers' compensation or pension benefits or other payments
79 made pursuant to Section 45-2-1 and is exempt from the claims and
80 demands of creditors of the covered individual.

81 **SECTION 2.** This act shall take effect and be in force from
82 and after July 1, 2024.

