

By: Senator(s) DeLano, Barrett, Berry, Blackwell, Blount, Boyd, Branning, Brumfield, Butler, Carter, Chassaniol, Chism, England, Fillingane, Frazier, Harkins, Hickman, Horhn, Jackson, Jordan, Ladner, McMahan, Parker, Parks, Robinson, Simmons (13th), Sparks, Suber, Thomas, Thompson, Whaley, Younger

To: Appropriations

SENATE BILL NO. 2487  
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 45-2-1, MISSISSIPPI CODE OF 1972, TO  
2 INCREASE THE AMOUNT OF THE PAYMENT TO COVERED INDIVIDUALS FROM THE  
3 LAW ENFORCEMENT OFFICERS AND FIRE FIGHTERS DEATH BENEFITS TRUST  
4 FUND; TO DELETE THE PROVISION OF LAW THAT AUTHORIZES PAYMENT TO A  
5 COVERED INDIVIDUAL'S ESTATE WHERE A BENEFICIARY IS NOT DESIGNATED  
6 AND THERE IS NO SURVIVING CHILD, SPOUSE OR PARENT; TO AUTHORIZE  
7 THE PAYMENT OF FUNERAL EXPENSES OF A COVERED INDIVIDUAL NOT TO  
8 EXCEED A CERTAIN AMOUNT; TO PROVIDE THAT A MINIMUM BALANCE SHALL  
9 BE MAINTAINED IN THE LAW ENFORCEMENT OFFICERS AND FIRE FIGHTERS  
10 DEATH BENEFITS TRUST FUND; TO DIRECT THE STATE TREASURER TO  
11 TRANSFER FUNDS IN EXCESS OF THIS MINIMUM BALANCE FROM THE LAW  
12 ENFORCEMENT OFFICERS AND FIRE FIGHTERS DEATH BENEFITS TRUST FUND  
13 TO THE LAW ENFORCEMENT OFFICERS AND FIRE FIGHTERS TRAINING AND  
14 EQUIPMENT TRUST FUND; TO CREATE THE LAW ENFORCEMENT OFFICERS AND  
15 FIRE FIGHTERS TRAINING AND EQUIPMENT TRUST FUND IN THE STATE  
16 TREASURY; TO ESTABLISH THE LAW ENFORCEMENT OFFICERS AND FIRE  
17 FIGHTERS TRAINING AND EQUIPMENT GRANT PROGRAM IN THE DEPARTMENT OF  
18 PUBLIC SAFETY; TO AUTHORIZE THE COMMISSIONER OF THE DEPARTMENT OF  
19 PUBLIC SAFETY AND THE STATE FIRE MARSHALL, UPON AGREEMENT, TO  
20 AWARD GRANTS FOR ENHANCED TRAINING OR SAFETY EQUIPMENT FOR COVERED  
21 INDIVIDUALS; AND FOR RELATED PURPOSES.

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

23 **SECTION 1.** Section 45-2-1, Mississippi Code of 1972, is  
24 amended as follows:

25 45-2-1. (1) Whenever used in this section, the term:

26 (a) "Covered individual" means a law enforcement  
27 officer or firefighter, including volunteer firefighters, as



28 defined in this section when employed by an employer as defined in  
29 this section; it does not include employees of independent  
30 contractors.

31 (b) "Employer" means a state board, commission,  
32 department, division, bureau or agency, or a county, municipality  
33 or other political subdivision of the state, which employs,  
34 appoints or otherwise engages the services of covered individuals.

35 (c) "Firefighter" means an individual who is trained  
36 for the prevention and control of loss of life and property from  
37 fire or other emergencies, who is assigned to firefighting  
38 activity, and is required to respond to alarms and perform  
39 emergency actions at the location of a fire, hazardous materials  
40 or other emergency incident.

41 (d) "Law enforcement officer" means any lawfully sworn  
42 officer or employee of the state or any political subdivision of  
43 the state whose duties require the officer or employee to  
44 investigate, pursue, apprehend, arrest, transport or maintain  
45 custody of persons who are charged with, suspected of committing,  
46 or convicted of a crime, whether the officer is on regular duty on  
47 full-time status, an auxiliary or reserve officer, or is serving  
48 on a temporary or part-time status.

49 (e) "Cause of death" means any cause of death that  
50 would be covered under the Public Safety Officers' Benefits Act of  
51 1976, the Hometown Heroes Survivors Benefits Act of 2003,



52 generally codified at 42 USCS Chapter 46, or the Safeguarding  
53 America's First Responders Act of 2020.

54 (2) (a) (i) The Department of Public Safety shall make a  
55 payment, as provided in this section, in the amount of \* \* \* One  
56 Hundred Fifty Thousand Dollars (\$150,000.00) when a covered  
57 individual, while engaged in the performance of the person's  
58 official duties, dies or receives accidental or intentional bodily  
59 injury that results in the loss of the covered individual's life  
60 and such death is the result of a covered cause of death, provided  
61 that the death is not the result of suicide and that the bodily  
62 injury is not intentionally self-inflicted.

63 (ii) In addition to the payment authorized in  
64 subparagraph (i) of this paragraph, the Department of Public  
65 Safety shall pay Twenty-five Thousand Dollars (\$25,000.00) per  
66 child of the covered individual, not to exceed a total payment of  
67 Two Hundred Fifty Thousand Dollars (\$250,000.00) under this  
68 subsection (2).

69 (b) The payment provided for in this subsection shall  
70 be made to the beneficiary who was designated in writing by the  
71 covered individual, signed by the covered individual and delivered  
72 to the employer during the covered individual's lifetime. If no  
73 such designation is made, then the payment shall be made to the  
74 surviving child or children and spouse in equal portions, and if  
75 there is no surviving child or spouse, then to the parent or  
76 parents. \* \* \*



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

81 (3) The Department of Public Safety shall make a payment, as  
82 provided in this section, in the amount not to exceed Fifteen  
83 Thousand Dollars (\$15,000.00) to pay funeral and other related  
84 burial expenses when a covered individual dies or receives  
85 accidental or intentional bodily injury that results in the loss  
86 of the covered individual's life. This payment may be made  
87 directly to the funeral home chosen by the next of kin and is  
88 subject to the availability of funds.

89 ( \* \* \*4) (a) There is established in the State Treasury a  
90 special fund to be known as the Law Enforcement Officers and Fire  
91 Fighters Death Benefits Trust Fund. The trust fund shall \* \* \*  
92 maintain a minimum balance of Four Million Dollars  
93 (\$4,000,000.00), and shall be comprised of any additional funds  
94 made available by the Legislature or by donation, contribution,  
95 gift or any other source.

96 (b) The State Treasurer shall invest the monies of the  
97 trust fund in any of the investments authorized for the funds of  
98 the Public Employees' Retirement System under Section 25-11-121,  
99 and those investments shall be subject to the limitations  
100 prescribed by Section 25-11-121.



101 (c) Unexpended amounts remaining in the trust fund at  
102 the end of the state fiscal year shall not lapse into the State  
103 General Fund, and any income earned on amounts in the trust fund  
104 shall be deposited to the credit of the trust fund. \* \* \* At the  
105 end of each state fiscal year, the State Treasurer shall transfer  
106 any amount of funds that exceed the minimum required balance in  
107 paragraph (a) of this subsection to the Law Enforcement Officers  
108 and Fire Fighters Training and Equipment Trust Fund.

109 (4) The Department of Public Safety shall be responsible for  
110 the management of the trust fund and the disbursement of death  
111 benefits authorized under this section. The Department of Public  
112 Safety shall adopt rules and regulations necessary to implement  
113 and standardize the payment of death benefits under this section,  
114 to administer the trust fund created by this section and to carry  
115 out the purposes of this section.

116 (5) (a) There is created in the State Treasury a special  
117 fund to be known as the Law Enforcement Officers and Fire Fighters  
118 Training and Equipment Trust Fund. Money in the fund may be  
119 disbursed pursuant to the Law Enforcement Officers and Fire  
120 Fighters Training and Equipment Grant Program established in this  
121 subsection. The fund shall consist of monies received from any  
122 source, including those transferred at the end of each fiscal year  
123 from the Law enforcement Death Benefit Trust Fund. Monies  
124 remaining in the revolving fund at the end of a fiscal year shall



125 not lapse into the State General Fund, and any interest earned on  
126 the fund shall be deposited to the credit of the fund.

127 (b) There is established the Law Enforcement Officers  
128 and Fire Fighters Training and Equipment Grant Program in the  
129 Department of Public Safety. Upon agreement, the Commissioner of  
130 the Department of Public Safety and the State Fire Marshal may  
131 award grants for enhanced training or safety equipment for covered  
132 individuals.

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

