

By: Senator(s) Horhn

To: Appropriations

SENATE BILL NO. 2801

1 AN ACT TO AMEND SECTIONS 37-107-1, 37-107-3 AND 37-107-5,
2 MISSISSIPPI CODE OF 1972, TO INCLUDE EMERGENCY MEDICAL TECHNICIANS
3 (EMTS) TO THE SCHOLARSHIP PROGRAM FOR CHILDREN OF DECEASED OR
4 DISABLED OFFICERS OR FIREMEN; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 37-107-1, Mississippi Code of 1972, is
7 amended as follows:

8 37-107-1. If any Mississippi law enforcement officer,
9 full-time fire fighter, volunteer fire fighter or emergency
10 medical technician shall suffer or has suffered fatal injuries or
11 wounds or become permanently and totally disabled as a result of
12 injuries or wounds which occurred in the performance of the
13 official and appointed duties of his or her office, his or her
14 spouse, child or children shall be entitled to an eight-semester
15 scholarship without cost, exclusive of books, food, school
16 supplies, materials and dues or fees for extracurricular
17 activities, at any state-supported college or university of his or
18 her choice within this state. No child shall be entitled to
19 receive benefits during any semester or quarter when said child
20 has reached the age of twenty-three (23) years on the first day of
21 said semester or quarter. However, any child who has begun the
22 process of acquiring college credits under the provisions of this
23 section prior to attaining the age of twenty-three (23) years
24 shall be entitled to the full eight-semester scholarship if his or
25 her college instruction was interrupted for any reason.

26 Scholarship benefits shall not accrue hereunder to any person
27 if the wounds or injuries suffered by any law enforcement officer,
28 full-time fire fighter, volunteer fire fighter or emergency

29 medical technician are self-inflicted or if his death is
30 self-induced.

31 **SECTION 2.** Section 37-107-3, Mississippi Code of 1972, is
32 amended as follows:

33 37-107-3. (1) For the purposes of this chapter, Mississippi
34 law enforcement officers shall be defined as follows:

35 (a) "State highway patrolmen" means all law enforcement
36 officers, regardless of department or bureau, of the Mississippi
37 Highway Safety Patrol.

38 (b) "Municipal police officers" means all law
39 enforcement officers of any municipality who are regular duty
40 personnel on full-time status, auxiliary or reserve officers, or
41 those serving on a temporary or part-time status.

42 (c) "Sheriffs" and "deputy sheriffs" means all law
43 enforcement officers of full-time duty status on a regular basis
44 serving the sheriff's department of any county, deputy sheriffs
45 who are engaged in administrative or civil duty, auxiliary or
46 reserve deputies, or deputy sheriffs serving in a temporary
47 capacity or part-time basis.

48 (d) "Constables" means all duly elected constables of
49 any beat of any county within the state while actually engaged in
50 the performance of their duties concerning the criminal laws of
51 the county and state.

52 (e) "Conservation officers" means all duly appointed
53 game wardens employed by the State of Mississippi on a full-time
54 duty status while actually engaged in the performance of their
55 duties concerning the game laws of the state.

56 (f) "Alcoholic Beverage Control Division agents and
57 inspectors" means all duly appointed agents and investigators of
58 the Alcoholic Beverage Control Division of the Mississippi State
59 Tax Commission on a full-time duty status while actually engaged
60 in the performance of their duties concerning the alcoholic
61 beverage control laws of the state.

62 (g) Members of the National Guard serving as peace
63 officers when ordered to state emergency duty under authority
64 vested in the Governor by the Constitution and laws of the state.

65 (h) "Tax commission scales enforcement officers" means
66 all duly appointed scales enforcement officers of the Mississippi
67 State Tax Commission on a full-time duty status while actually
68 engaged in the performance of their duties.

69 (i) Duly appointed agents of the Mississippi Bureau of
70 Narcotics.

71 (j) Correctional, Probation and Parole officers
72 employed by the Mississippi Department of Corrections.

73 (2) For the purposes of this chapter, Mississippi full-time
74 fire fighters shall be defined as all fire fighters employed by
75 any subdivision of the State of Mississippi on a full-time duty
76 status while actually engaged in the performance of their duties,
77 and volunteer fire fighters shall be defined as any volunteer fire
78 fighter registered with the State of Mississippi or a political
79 subdivision thereof on a volunteer fire fighting status while
80 actually engaged in the performance of fire fighting duties.

81 (3) For the purposes of this chapter, emergency medical
82 technician shall mean an individual who possesses a valid
83 emergency medical technician's certificate issued by the State
84 Department of Health pursuant to Section 41-59-1 et seq.

85 (4) For the purposes of this chapter, "child" or "children"
86 means natural children, adopted children or stepchildren.

87 (5) For purposes of this chapter, "spouse" means a person
88 who was, at the time of the death of the decedent, legally married
89 to a Mississippi law enforcement officer, full-time fire fighter,
90 or volunteer fire fighter, or in the case of a law enforcement
91 officer, full-time fire fighter or volunteer fire fighter who
92 suffered fatal injuries or wounds, prior to or after March 13,
93 1990, who has not remarried.

94 **SECTION 3.** Section 37-107-5, Mississippi Code of 1972, is
95 amended as follows:

96 37-107-5. Any law enforcement officer, full-time fire
97 fighter, volunteer fire fighter or emergency medical technician
98 claiming permanent and total disability under this chapter shall
99 be qualified, or disqualified, for such claim upon examination and
100 decision by any two (2) of the three (3) following staff members
101 of the University of Mississippi Medical Center: (a) Chairman of
102 the Board of Medicine, (b) Chief of the Division of Orthopedics,
103 and (c) Professor and Chairman of Surgery.

104 The expenses of such examination shall be the responsibility
105 of the individual claimant unless otherwise provided for by a
106 municipality, county or the state.

107 **SECTION 4.** This act shall take effect and be in force from
108 and after July 1, 2005.