

By: Representatives Grady, Burch, Carpenter,
Eure, Felsher, Ford (73rd), Hawkins, Hulum,
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To: State Affairs;
Appropriations A

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1697

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

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

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

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

18 (b) "Employer" means a county or municipality, any
19 state agency, board or commission, public universities and



20 colleges that employ, appoint or otherwise engage the services of
21 covered individuals.

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

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

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

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



45 technician-paramedic, or emergency medical
46 technician-nurse-paramedic and who is employed by a non-private
47 entity.

48 (2) (a) (i) The governing authorities of any municipality,
49 the board of supervisors of any county, any state agency, board or
50 commission, and any public university or college may establish a
51 policy to pay to the covered individuals beneficiary the full
52 amount of the covered individual's regular compensation for up to
53 thirty (30) days when a covered individual, while engaged in the
54 performance of the person's official duties, dies or receives
55 accidental or intentional bodily injury that results in the loss
56 of the covered individual's life and such death is the result of a
57 covered cause of death, provided that the death is not the result
58 of suicide and that the bodily injury is not intentionally
59 self-inflicted.

60 (ii) If the governing authorities of a
61 municipality, the board of supervisors of a county, any state
62 agency, board or commission or public university or college adopt
63 a policy pursuant to subparagraph (i) of this subsection (2), then
64 within one (1) day after the date of death of a covered individual
65 who dies while in performance of his or her duties, as set under
66 this subsection, the governing authorities of the municipality, or
67 the board of supervisors, the state agency, board or commission,
68 public university or college, as the case may be, may make a



69 payment in the amount set out under subparagraph (i) of this
70 subsection (2) to the beneficiary of the covered individual.

71 (b) The payment provided for in this subsection shall
72 be made to the beneficiary who was designated in writing by the
73 covered individual, signed by the covered individual and delivered
74 to the employer during the covered individual's lifetime. If no
75 such designation is made, then the payment shall be made to the
76 surviving child or children and spouse in equal portions, and if
77 there is no surviving child or spouse, then to the parent or
78 parents. If a beneficiary is not designated and there is no
79 surviving child, spouse or parent, then the payment shall be made
80 to the covered individual's estate.

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

85 **SECTION 2.** This act shall take effect and be in force from
86 and after its passage.

