

H.B. 288

LINE-OF-DUTY DEATH BENEFITS FOR PEACE OFFICERS AND FIREFIGHTERS

HOUSE COMMITTEE AMENDMENTS

AMENDMENT 1

FEBRUARY 20, 2015 10:02 AM

Representative **Paul Ray** proposes the following amendments:

1. *Page 3, Lines 76 through 83:*

76 (a) If the death is classified by the office as a line-of-duty death, the spouse at the time
77 of death shall receive ⋮

78 (i) a lump sum [~~of \$1,500~~] equal to six months of the active member's final
average salary ⋮ and =

(ii) = an allowance equal to 37.5% of the member's final average monthly salary.

79 (b) If the death is not classified by the office as a line-of-duty death, benefits are
80 payable as follows:

81 (i) If the member has accrued two or more years of public safety service credit at the

82 time of death, the death is considered a line-of-duty death and the {~~benefit shall be paid~~} spouse at the
time of death shall receive:

(A) a lump sum of \$1,500; and

(B) an allowance as

83 provided under Subsection (1)(a) (ii) .

2. *Page 5, Line 147 through Page 6, Line 152:*

147 (a) If the death is classified by the office as a line-of-duty death, the spouse at the time
148 of death shall receive ⋮

149 (i) a lump sum [~~of \$1,500~~] equal to six months of the active member's final
average salary ⋮ and =

(ii) = an allowance equal to 37.5% of the member's final average monthly salary.

150 (b) If the death is not classified by the office as a line-of-duty death, and the member
151 has accrued two or more years of public safety service credit at the time of death, the death is
152 considered line-of-duty and the {~~benefit shall be paid~~} spouse at the time of death shall receive:

(i) a lump sum of \$1,500; and

(ii) an allowance as provided under Subsection (1)(a) (ii) .

3. *Page 8, Lines 217 through 229:*

217 (i) If the member has accrued less than 20 years of firefighter service credit, the spouse
218 at the time of death shall receive ⋮

219 (A) a lump sum [~~of \$1,500~~] equal to six months of the active
member's final average salary ⋮ and =

220 (B) an allowance equal to 37.5% of the member's final average
monthly salary.
221 (ii) If the member has accrued 20 or more years of firefighter service credit, the
222 member shall be considered to have retired with an allowance calculated under Section
223 49-16-402 and the spouse at the time of death shall receive the death benefit payable to a
224 spouse under Section 49-16-504.
225 (b) If the death is not classified by the office as a line-of-duty death, the benefits are
226 payable as follows:
227 (i) If the member has accrued five or more years of firefighter service credit, the death
228 is considered line-of-duty and the ~~{same benefits are payable}~~ spouse at time of death shall receive:
(A) a lump sum of \$1,500; and
(B) an allowance as established under Subsection
229 (1)(a) (i)(B) .

4. Page 11, Lines 326 through 329:

326 (1) An employer shall notify the governor's office of the line-of-duty death of an active
member.
327 (2) The governor's office shall ensure that the spouse, at the time of death of the active member, or
328 the beneficiary are provided assistance to understand and apply for any death benefit for which
329 the surviving spouse or beneficiaries may be eligible under this chapter, other Utah law, federal
law, or local policy or ordinance.