

H.B. 30

LINE-OF-DUTY DEATH AND DISABILITY AMENDMENTS

HOUSE COMMITTEE AMENDMENTS

AMENDMENT 1

FEBRUARY 6, 2013 11:38 AM

Representative **Ronda Rudd Menlove** proposes the following amendments:

1. *Page 3, Lines 83 through 86:*

83 (b) "Line-of-duty death" does not include a death that:
84 (i) occurs during an activity that is required as an act of duty as a public safety service
85 employee if the activity is not ~~a~~ strenuous ~~activity~~ , including an activity that is clerical, administrative,
or
86 of a nonmanual nature;

2. *Page 4, Lines 106 through 109:*

106 who performs public safety service under this chapter. =
(7) (a) "Strenuous activity" means engagement involving a difficult, stressful, or vigorous fire
suppression, rescue, hazardous material response, emergency medical service, physical law
enforcement, prison security, disaster relief, or other emergency response activity.
(b) "Strenuous activity" includes participating in a participating employer sanctioned and
funded training exercise that involves difficult, stressful, or vigorous physical activity.
107 ~~{(7)}~~ (8) "System" means the Public Safety Contributory Retirement System created under
108 this chapter.
109 ~~{(8)}~~ (9) "Years of service credit" means the number of periods, each to consist of 12 full

3. *Page 6, Lines 153 through 156:*

153 (b) "Line-of-duty death" does not include a death that:
154 (i) occurs during an activity that is required as an act of duty as a public safety service
155 employee if the activity is not ~~a~~ strenuous ~~activity~~ , including an activity that is clerical, administrative,
or
156 of a nonmanual nature;

4. *Page 6, Lines 174 through 177:*

174 who performs public safety service under this chapter. =
(7) (a) "Strenuous activity" means engagement involving a difficult, stressful, or vigorous fire
suppression, rescue, hazardous material response, emergency medical service, physical law enforcement,
prison security, disaster relief, or other emergency response activity.
(b) "Strenuous activity" includes participating in a participating employer sanctioned and

funded training exercise that involves difficult, stressful, or vigorous physical activity.

175 {~~(7)~~} (8) "System" means the Public Safety Noncontributory Retirement System created
176 under this chapter.

177 {~~(8)~~} (9) "Years of service credit" means the number of periods, each to consist of 12 full

5. *Page 9, Lines 246 through 248:*

246 (i) occurs during an activity that is required as an act of duty as a firefighter service
247 employee if the activity is not a strenuous activity, including an activity that is clerical, administrative,
 or
248 of a nonmanual nature;

6. *Page 9, Lines 260 through 262:*

260 employment per year. =
(9) (a) "Strenuous activity" means engagement involving a difficult, stressful, or vigorous fire
suppression, rescue, hazardous material response, emergency medical service, physical law enforcement,
prison security, disaster relief, or other emergency response activity.
(b) "Strenuous activity" includes participating in a participating employer sanctioned and
funded training exercise that involves difficult, stressful, or vigorous physical activity.

261 {~~(9)~~} (10) "System" means the Firefighters' Retirement System created under this chapter.
262 {~~(10)~~} (11) (a) "Volunteer firefighter" means any individual that is not regularly employed as

7. *Page 9, Lines 268 through 269:*

268 (b) An individual that volunteers assistance but does not meet the requirements of
269 Subsection {~~(10)~~} (11) (a) is not a volunteer firefighter for purposes of this chapter.

8. *Page 10, Lines 303 through 305:*

303 (A) occurs during an activity that is required as an act of duty as an employee if the
304 activity is not a strenuous activity, including an activity that is clerical, administrative, or of a
 nonmanual
305 nature contributes to the employee's death;

9. *Page 11, Line 309:*

309 (D) occurs in a manner other than as described in Subsection (1)(b)(i). =
= (c) (i) "Strenuous activity" means engagement involving a difficult, stressful, or vigorous
fire suppression, rescue, hazardous material response, emergency medical service, physical
law enforcement, prison security, disaster relief, or other emergency response activity.
(ii) "Strenuous activity" includes participating in a participating employer sanctioned and
funded training exercise that involves difficult, stressful, or vigorous physical activity.

10. Page 13, Lines 382 through 384:

382 (i) occurs during an activity that is required as an act of duty as a public safety service
383 or firefighter service employee if the activity is not **a** strenuous **activity** , including an activity that is
384 clerical, administrative, or of a nonmanual nature;

11. Page 14, Lines 406 through 409:

406 employer who performs public safety service under this chapter. =
(10) (a) "Strenuous activity" means engagement involving a difficult, stressful, or vigorous fire
suppression, rescue, hazardous material response, emergency medical service, physical law enforcement,
prison security, disaster relief, or other emergency response activity.
(b) "Strenuous activity" includes participating in a participating employer sanctioned and
funded training exercise that involves difficult, stressful, or vigorous physical activity.
407 [(9)] {-(10)} (11) "System" means the New Public Safety and Firefighter Tier II Contributory
408 Retirement System created under this chapter.
409 [(10)] {-(11)} (12) (a) "Volunteer firefighter" means any individual that is not regularly

12. Page 14, Lines 415 through 417:

415 (b) An individual that volunteers assistance but does not meet the requirements of
416 Subsection [(10)] {-(11)} (12) (a) is not a volunteer firefighter for purposes of this chapter.
417 [(11)] {-(12)} (13) "Years of service credit" means:

13. Page 15, Lines 442 through 444:

442 (c) Each volunteer fire department shall maintain a current roll of all volunteer
443 firefighters which meet the requirements of Subsection 49-23-102[(10)] {-(11)} (12) to determine the
444 eligibility for this benefit.