

## Committee on Governmental Oversight and Accountability

### **CS/SB 7098 — Death Benefits**

by Appropriations Committee and Governmental Oversight and Accountability Committee

The bill implements Amendment 7 to the State Constitution, which was approved by the voters in November 2018 to require the payment of death benefits to the survivors of certain first responders, Florida National Guard members, and members of the United States Armed Forces. Current law provides various death benefits to many, but not all, of the first responders, Florida National Guard members, and members of the U.S. Armed Forces who are eligible for benefits under Amendment 7. Therefore, the Legislature must expand some of the current death benefits to comply with the requirements of Amendment 7.

The bill expands the death benefits currently provided to Florida National Guard members on state active duty, firefighters, and law enforcement, correctional, and correctional probation officers and sets the amount of the benefits as follows:

- \$75,000 when an eligible firefighter, Florida National Guard member, or law enforcement, correctional, or correctional probation officer is accidentally killed or receives accidental bodily injury that results in the loss of the individual's life.
- An additional \$75,000 when an eligible firefighter, Florida National Guard member, or law enforcement, correctional, or correctional probation officer is accidentally killed in the above manner and meets additional requirements, such as the accidental death occurs as a result of the response to an emergency.
- \$225,000 when an eligible firefighter, Florida National Guard member, or law enforcement, correctional, or correctional probation officer is unlawfully and intentionally killed or dies as a result of an unlawful and intentional act while engaged in the performance of official duties.

The bill also provides the benefits described above to paramedics and emergency medical technicians.

The bill removes the annual Consumer Price Index adjustment of the benefit amounts.

The bill creates a new death benefit of \$75,000 for members of the U.S. Armed Forces, including Florida National Guard members, who are killed while on federal active duty and engaged in performing official duties. Other members of the U.S. Armed Forces who are killed while on active duty but not engaged in the performance of their official duties are entitled to a \$25,000 death benefit.

The bill expands death benefits for certain educational expenses of surviving spouses and children by providing them to firefighters, law enforcement officers, correctional officers, correctional probation officers, and Florida National Guard members who are accidentally killed or receive accidental bodily injury resulting in loss of life. These benefits for educational expenses are also provided to paramedics and emergency medical technicians, as well as Florida

National Guard members who are killed while on federal active duty and U.S. Armed Forces members who are killed while on active duty.

The bill appears to have an indeterminate fiscal impact on the state and local governments. The bill includes a continuing appropriation from the General Revenue Fund to pay for any monetary benefits related to deceased members of the U.S. Armed Forces.

These provisions were approved by the Governor and take effect July 1, 2019.

*Vote: Senate 37-0; House 115-0*