



State of Tennessee

PUBLIC CHAPTER NO. 445

SENATE BILL NO. 1059

By **Bowling, Massey, Bailey, Bell, Briggs, Haile, Norris, Stevens, Tracy, Watson, Yager**

Substituted for: House Bill No. 1368

By Sargent, Whitson, Hardaway, Powers, Carr, Gant, Rudd, Kevin Brooks, Cooper, Sherrell, Akbari, Camper, Eldridge, Doss, Stewart, Byrd, Mark White, Williams, Hazlewood, Butt, Calfee, Alexander, Lynn, Parkinson, Thompson, Zachary, Fitzhugh, Miller, Staples, Terry, Towns, Ragan, Love, Hicks, Gravitt, Farmer, Keisling, Powell

AN ACT to amend Tennessee Code Annotated, Title 7, Chapter 51, Part 2; Title 9 and Title 68, Chapter 140, relative to compensation for certain persons killed in the line of duty.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 7, Chapter 51, Part 2, is amended by adding the following as a new section:

(a) For the purposes of this section, unless the context otherwise requires:

(1) "Emergency responder" means a firefighter, a volunteer rescue squad worker, or law enforcement officer;

(2) "Firefighter" means any regular or full-time employee of a fire department as defined in § 68-102-302, or any unpaid volunteer member of a municipal or nonprofit fire department who is registered and recognized by the state fire marshal and who is required to extinguish and control fires or fire-related incidents;

(3) "In the line of duty" means in the course of employment and in the actual discharge of the duties of the position;

(4) "Law enforcement officer" means the sheriff, sheriff's deputies, or any police officer employed by the state, a municipality, or political subdivision of the state whose primary responsibility is the prevention and detection of crime and the apprehension of offenders; and

(5) "Volunteer rescue squad worker" means any person who is trained in emergency and rescue work and who performs such work without compensation in a unit that is equipped to address such situations.

(b) The estate of any emergency responder who is killed in the line of duty shall be entitled to receive a two-hundred-fifty-thousand-dollar annuity, with the estate receiving an annual installment of fifty thousand dollars (\$50,000) for five (5) years. The emergency responder must have been current in any required training and physical exams at the time the death occurred for the estate to receive the payment. Payment shall be made from the general fund after receipt by the department of finance and administration of a certified death certificate, letters testamentary or letters of administration for the estate of the deceased from a probate court, and an affidavit from the decedent's employer or volunteer unit that the decedent was killed in the line of duty.

(c) A claim for payment of an annuity pursuant to this section must be filed with the department of finance and administration no later than three (3) years after the date of death of the decedent.

(d) A person's estate is only entitled to receive one (1) two-hundred-fifty-thousand-dollar annuity, regardless of the person being in more than one (1) category of emergency responder.

SECTION 2. Tennessee Code Annotated, Section 7-51-206, is amended by deleting the section.

SECTION 3. Tennessee Code Annotated, Section 7-51-207, is amended by deleting the section.

SECTION 4. Tennessee Code Annotated, Section 7-51-208, is amended by deleting the section.

SECTION 5. This act shall take effect July 1, 2017, the public welfare requiring it.

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PASSED: May 9, 2017

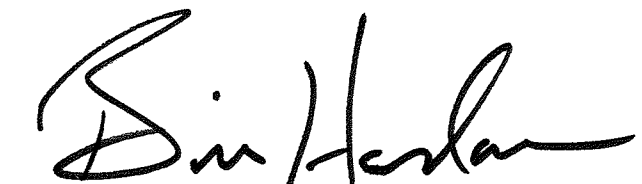


RANDY McNALLY
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 25th day of May 2017



BILL HASLAM, GOVERNOR