

# ‘09 SESSION

## ANTICIPATED LEGISLATION AFFECTING PUBLIC SAFETY

### SURVIVOR BENEFITS

This bill would amend current statutes to increase “death in the line of duty” benefits for retirement system participants to 50% of the member’s monthly final rate of pay for current and future surviving spouses. Presently, Kentucky provides a mere 25%. When the chronically low pay scale of officers and firefighters is considered, a widow and their children may receive benefits of less than \$5,000 a year when the husband/father and primary breadwinner is killed in the line of duty.

Senator Ed Worley publicly called on the Justice and Public Safety Cabinet to research and develop legislation providing security for the families of fallen Kentucky peace officers and firefighters at the 2008 Law Enforcement Memorial ceremony; Representative Harry Moberly has expressed keen interest in bolstering the permanent contribution for survivor’s benefits.

Kentucky lags behind other states in this remarkably simple but equally powerful issue. Public safety officers — police officers and firefighter who potentially face death in the line of duty on any work shift — deserve to know that their possible final sacrifice will not leave behind a spouse and children without some reasonable measure of financial stability.

#### ***What this action means to Kentucky officers:***

For officers, the plan provides some comfort that their families will be more financially stable if any one of the officers loses his/her life in the line of duty and extends that comfort to wives/husbands and children.

#### **This action has the support of**

- Justice and Public Safety Cabinet
- Concerns of Police Survivors
- Kentucky Law Enforcement Council
- Kentucky Firefighters Association
- Kentucky Sheriffs’ Association
- Kentucky Association of Chiefs of Police
- Kentucky Peace Officers’ Association
- Kentucky Women’s Law Enforcement Network
- Kentucky Crime Council
- Kentucky State Police
- Kentucky League of Cities
- Kentucky Association of Counties
- Kentucky Law Enforcement Memorial Foundation

### ‘08 HOUSE BILL 427

#### REVAMPING THE KENTUCKY LAW ENFORCEMENT FOUNDATION FUND

Passed unanimously through the finance committee in the 2008 session, HB 427 was never called for a vote on the floor. It formally adds law enforcement officers employed in state government to the Kentucky Law Enforcement Foundation Program Fund (KLEFPF) and increases the annual stipend paid to all peace officers and firefighters currently covered by statute.

House Bill 427’s 2009 version would raise the current stipend of \$3,100 received by some Kentucky peace officers and firefighters from \$3,100 (where it has remained stagnant since 2001) to \$3,500 and later to \$3,750. Qualifying volunteer fire departments would rise from the current \$8,000 to \$9,000 and later to \$10,000.

The bill would also add several state-level peace officer departments not currently covered by the fund even though those peace officers must undergo the same stringent testing, training and annual updates required for other officers. Those include the officers of Fish and Wildlife Resources, Alcoholic Beverage Control, Insurance Fraud, Office of Charitable Gaming, Kentucky Division of Animal Health, Field Enforcement, Kentucky Department of Parks/Ranger Division, Attorney General’s Office and the Kentucky State Police.

The bill specifically insures that the Peace Officer Bill of Rights (KRS 15.520) will continue to apply to all local units of government despite the addition of any state law enforcement agency.

***What this action means to Kentucky officers and firefighters:*** HB 427 will add to their modest income without burdening cities and counties with fiscal requirements they cannot meet. The modest stipend also attracts potential recruits who have been put off by the low pay and helps prevent trained officers and firefighters from seeking employment elsewhere despite their skill set and the training they have attained at the expense of the state.

#### **In the ‘08 session, HB 427 was supported by**

- Justice and Public Safety Cabinet
- Kentucky Law Enforcement Council
- Kentucky State Police
- Kentucky Peace Officers’ Association
- Kentucky Association of Chiefs of Police
- Kentucky Women’s Law Enforcement Network
- Kentucky League of Cities
- Fish and Wildlife Resources
- Kentucky Firefighters Association

#### **In ‘08, HB 427 was opposed by**

- State Lodge of the Fraternal Order of Police
- Kentucky Sheriffs’ Association