

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO TOWNS AND CITIES -- RELIEF OF INJURED AND DECEASED FIRE FIGHTERS AND POLICE OFFICERS

Introduced By: Senators Ciccone, Britto, DiPalma, F. Lombardi, Burke, and Tikoian

Date Introduced: March 23, 2023

Referred To: Senate Labor

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 45-19-4.3 of the General Laws in Chapter 45-19 entitled "Relief of
2 Injured and Deceased Fire Fighters and Police Officers" is hereby amended to read as follows:

3 **45-19-4.3. One time death benefit — Death benefits to family of deceased police**
4 **officers, correctional officers, and firefighters.**

5 (a) If an active or retired police officer, capitol police officer, correctional officer,
6 firefighter, crash rescue crew person, fire marshal, or deputy fire marshal of any city, town, fire
7 district, or the state of Rhode Island or deputy sheriff or a correctional officer or member of a
8 volunteer auxiliary fire force or volunteer crash rescue or ambulance corps is killed or dies from
9 injuries received while in the performance of his or her duties, there shall be paid a killed-in-line-
10 of-duty benefit to be administered by the board of police officer's and firefighter's relief. The
11 benefit shall be in the sum of ~~forty percent (40%)~~ one hundred percent (100%) of the federal death
12 benefits for law enforcement officers and firefighters killed in the line of duty. The benefit shall be
13 paid as follows:

14 (1) If there is no surviving child of such officer, to the surviving spouse or domestic partner
15 of such officer;

16 (2) If there is a surviving child or children and a surviving spouse or domestic partner, one-
17 half (1/2) to the surviving child or children of such officer in equal shares and one-half (1/2) to the
18 surviving spouse or domestic partner;

1 (3) If there is no surviving spouse or domestic partner, to the child or children of said officer
2 in equal shares;

3 (4) If there is no surviving spouse, domestic partner, or surviving child, to the individual
4 designated by such officer as beneficiary under such officer's most recently executed life insurance
5 policy; provided, that such individual survived such officer; or

6 (5) If none of the above, to the parent or parents of such officer in equal shares.

7 (b) Domestic partners shall certify by affidavit to the board of police officer's and
8 firefighter's relief that the: (1) partners are at least eighteen (18) years of age and mentally
9 competent to contract; (2) partners are not married to anyone; (3) partners are not related by blood
10 to a degree which would prohibit marriage in the state of Rhode Island; (4) partners reside together
11 and have resided together for at least one year; (5) partners are financially interdependent as
12 evidenced by at least two (2) of the following: (i) domestic partnership agreement or relationship
13 contract; (ii) joint mortgage or joint ownership of primary residence; (iii) two (2) of: (A) joint
14 ownership of motor vehicle; (B) joint checking account; (C) joint credit account; (D) joint lease;
15 and/or (iv) the domestic partner has been designated as a beneficiary for the deceased's will,
16 retirement contract or life insurance.

17 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO TOWNS AND CITIES -- RELIEF OF INJURED AND DECEASED FIRE
FIGHTERS AND POLICE OFFICERS

1 This act would increase the killed-in-line-of-duty benefit for active or retired police officer,
2 capitol police officer, correctional officer, firefighter, crash rescue crew person, fire marshal or
3 deputy fire marshal from forty percent (40%) to one hundred percent (100%) of the federal death
4 benefit.

5 This act would take effect upon passage.

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