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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2005

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A N A C T

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

Introduced By: Senator Rhoda E. Perry

Date Introduced: June 29, 2005

Referred To: Recommended for Immediate Consideration

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

13 (b) For the purpose of this section, "family" means the surviving spouse, or domestic
14 partner of the deceased person, if there is no surviving spouse, or domestic partner, the child or
15 children of the deceased person, or if there is no surviving child, the parent or parents of the
16 deceased person, if the parent or parents were at least fifty percent (50%) financially dependent
17 upon the deceased person.

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

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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1 This act would provide that a surviving domestic partner of a deceased police officer,
2 correctional officer or firefighter would be included in the definition of the word “family” for
3 purposes of this section and thus would be entitled to a one-time death benefit, and would further
4 define a domestic partner for purposes of this act.

5 This act would take effect upon passage.

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