

1 HB346
2 203239-1
3 By Representatives Treadaway, Wood (R), Robertson, McCutcheon,
4 Farley, Scott, Rowe, South, Pettus, Whorton, Ball, Smith,
5 Faulkner, Fridy, Carns, Drake, Stringer, Standridge, Hollis,
6 McCampbell, Lawrence, Daniels, McClammy, Rafferty, Clarke,
7 Warren, Shiver, Simpson, Marques, Gaston, Ingram, Collins,
8 Nordgren, Wood (D), Moore (P) and Sorrell
9 RFD: Ways and Means General Fund
10 First Read: 27-FEB-20

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8 SYNOPSIS: Current law provides a one-time monetary
9 death benefit for law enforcement officers killed
10 in the line of duty. Current law also provides for
11 continued coverage for dependents of deceased State
12 Employees' Insurance Board (SEIB) enrollees who
13 were enrolled at the time of death.

14 Except for federal COBRA requirements,
15 current law does not provide for continued health
16 coverage for dependents of law enforcement officers
17 killed in the line of duty who were not covered by
18 SEIB.

19 This bill would provide for continued health
20 coverage for dependents of law enforcement officers
21 killed in the line of duty or who die from injuries
22 suffered in the line of duty. Benefits would
23 continue for a spouse until remarriage, medicare
24 eligibility, or death; coverage for other
25 dependents would continue until the person is no
26 longer considered a dependent. Payment of health
27 premiums for these dependents would be the

1 obligation of the deceased law enforcement
2 officer's employer.

3 Amendment 621 of the Constitution of Alabama
4 of 1901, as amended by Amendment 890, now appearing
5 as Section 111.05 of the Official Recompilation of
6 the Constitution of Alabama of 1901, as amended,
7 prohibits a general law whose purpose or effect
8 would be to require a new or increased expenditure
9 of local funds from becoming effective with regard
10 to a local governmental entity without enactment by
11 a 2/3 vote unless: it comes within one of a number
12 of specified exceptions; it is approved by the
13 affected entity; or the Legislature appropriates
14 funds, or provides a local source of revenue, to
15 the entity for the purpose.

16 The purpose or effect of this bill would be
17 to require a new or increased expenditure of local
18 funds within the meaning of the amendment. If this
19 bill is not enacted by a 2/3 vote, it will not
20 become effective with regard to a local entity
21 unless approved by the local entity or until, and
22 only so long as, the Legislature appropriates funds
23 or provides for a local source of revenue.

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25 A BILL
26 TO BE ENTITLED
27 AN ACT

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2 Relating to law enforcement officers; to provide
3 continued health coverage for dependents of law enforcement
4 officers who are killed in the line of duty or die from
5 injuries suffered in the line of duty; and in connection
6 therewith would have as its purpose or effect the requirement
7 of a new or increased expenditure of local funds within the
8 meaning of Amendment 621 of the Constitution of Alabama of
9 1901, as amended by Amendment 890, now appearing as Section
10 111.05 of the Official Recompilation of the Constitution of
11 Alabama of 1901, as amended.

12 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

13 Section 1. (a) Notwithstanding any other provision
14 of law, the surviving spouse and surviving dependents of any
15 law enforcement officer who was killed in the line of duty or
16 died from injuries suffered in the line of duty are entitled
17 to continued coverage under the health insurance program of
18 the employer at the time of the death or injury, including
19 dental and vision policies, and are also entitled to payments
20 for health insurance premiums, including dental and vision
21 policies, by the employer of the law enforcement officer. For
22 purposes of this act, "law enforcement officer" shall have the
23 same meaning as given in Section 36-21-40, Code of Alabama
24 1975.

25 (b) The employer of a law enforcement officer who is
26 killed in the line of duty or dies from injuries suffered in
27 the line of duty shall make the payments described in

1 subsection (a) if the surviving spouse or surviving dependent
2 is enrolled or was enrolled in the health insurance program of
3 the employer at the time the law enforcement officer was
4 killed or injured.

5 (c) If the surviving spouse or surviving dependent
6 of a law enforcement officer who was killed in the line of
7 duty or died from injuries suffered in the line of duty was
8 enrolled in the employer's health insurance program at the
9 time of the death or injury, and is eligible under subsection
10 (d) to receive health insurance premium payments under this
11 act, but is no longer enrolled in the employer's health
12 insurance program, the employer shall allow the surviving
13 spouse and any surviving dependents to enroll in the
14 employer's health insurance program and receive health
15 insurance premium payments under this section.

16 (d) The health insurance premium amount payable by
17 the employer of the deceased law enforcement officer is the
18 amount a deceased law enforcement officer would pay for a
19 family coverage premium or a single coverage premium,
20 whichever is applicable. Payments under this section shall be
21 discontinued if any of the following occurs:

22 (1) The surviving spouse remarries.

23 (2) The surviving spouse becomes eligible for
24 Medicare.

25 (3) The surviving spouse dies.

26 (4) For dependent coverage, the person is no longer
27 considered a dependent.

1 Section 2. The purpose or effect of this bill would
2 be to require a new or increased expenditure of local funds
3 within the meaning of Amendment 621, as amended by Amendment
4 890, now appearing as Section 111.05 of the Official
5 Recompilation of the Constitution of Alabama of 1901, as
6 amended. If this bill is not enacted by a 2/3 vote, it will
7 not become effective with regard to a local entity unless
8 approved by the local entity or until, and only so long as,
9 the Legislature appropriates funds or provides for a local
10 source of revenue.

11 Section 3. This act shall become effective on the
12 first day of the third month following its passage and
13 approval by the Governor, or its otherwise becoming law.