



General Assembly

Substitute Bill No. 5279

February Session, 2024



**AN ACT CONCERNING AUTHORITY TO DECLARE THAT A
FIREFIGHTER OR POLICE OFFICER DIED IN THE LINE OF DUTY.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 7-313e of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2024*):

3 (a) Notwithstanding any provision in the general statutes or a
4 municipal ordinance to the contrary, the fire chief of the municipality,
5 or any member serving in the capacity of fire officer-in-charge, shall,
6 when any fire department or company is responding to or operating at
7 a fire, service call [,] or other emergency, within such municipality, have
8 the authority to: [(a)] (1) Control and direct emergency activities at such
9 scene; [(b)] (2) order any person to leave any building or place in the
10 vicinity of such fire for the purpose of protecting such person from
11 injury; [(c)] (3) blockade any public highway, street [,] or private right-
12 of-way temporarily while at such scene; [(d)] (4) at any time of the day
13 or night, enter any building, including a private dwelling, or upon any
14 premises where a fire is in progress or near the scene of any fire, or
15 where there is reasonable cause to believe a fire is in progress, for the
16 purpose of extinguishing the fire or preventing its spread; [(e)] (5)
17 inspect for the purposes of preventing fires and preplanning the control
18 of fire all buildings, structures or other places in their fire district, except
19 the interior of private dwellings, where any combustible material,

20 including, but not limited to, waste paper, rags, shavings, waste, leather,
21 rubber, crates, boxes, barrels or rubbish, that is or may become
22 dangerous as a fire menace to such buildings, structures or other places
23 has been allowed to accumulate or where such chief or [his] such chief's
24 designated representative has reason to believe that such material has
25 accumulated or is liable to be accumulated; [(f)] (6) order disengagement
26 or discouplement of any convoy, caravan or train of vehicles, craft or
27 railway cars for the purpose of extinguishing a fire or preventing its
28 spread; and [(g)] (7) take command of any industrial fire brigade or fire
29 chief when such fire company or department has been called to such
30 industry.

31 (b) If the death of a uniformed paid or volunteer firefighter is caused
32 by a cardiac event, stroke or pulmonary embolism that occurred not
33 later than twenty-four hours after such firefighter concluded a shift or
34 training during which such firefighter was involved in nonroutine or
35 strenuous physical activity, the chief of such firefighter's fire
36 department shall have the authority to determine whether such
37 firefighter died in the line of duty, unless a local charter or ordinance in
38 effect on July 1, 2024, provides the authority to a different individual or
39 entity to make such determination. Such declaration by a chief shall not
40 be used as evidence for a workers' compensation claim under chapter
41 568.

42 Sec. 2. (NEW) (Effective July 1, 2024) (a) For purposes of this section,
43 (1) "police chief" means the chief law enforcement officer of a law
44 enforcement unit, the chief elected official of a municipal police
45 department without a chief law enforcement officer or, in the case of the
46 Division of State Police, the Commissioner of Emergency Services and
47 Public Protection, and (2) "law enforcement unit" and "police officer"
48 have the same meanings as provided in section 7-294a of the general
49 statutes.

50 (b) If the death of a police officer is caused by a cardiac event, stroke
51 or pulmonary embolism that occurred not later than twenty-four hours
52 after such officer concluded a shift or training during which such officer

53 was involved in nonroutine or strenuous physical activity, the police
54 chief of such officer's law enforcement unit shall have the authority to
55 determine whether such officer died in the line of duty, unless a local
56 charter or ordinance in effect on July 1, 2024, provides the authority to a
57 different individual or entity to make such determination. Such
58 declaration by a police chief shall not be used as evidence for a workers'
59 compensation claim under chapter 568 of the general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2024</i>	7-313e
Sec. 2	<i>July 1, 2024</i>	New section

PS *Joint Favorable Subst.*

PD *Joint Favorable*