



February 25, 2023

SUMMARY OF BILL: Authorizes the estate of a commissioned reserve law enforcement officer who is killed in the line of duty to receive an annuity and be eligible to receive health benefits for up to two years after the death of the commissioned reserve law enforcement officer. Extends civil liability immunity to a commissioned reserve law enforcement officer responding to a call for emergency assistance.

FISCAL IMPACT:

Other Fiscal Impact – For each individual death benefit awarded, there will be an increase in state expenditures of \$50,000 per benefit per year over a five-year period for a total of \$250,000. Any health insurance benefit costs incurred by local governments to provide benefits to surviving dependents will shift to the state. The extent and timing of any such impacts are dependent upon multiple unknown factors and cannot be determined with reasonable certainty.

Assumptions:

- Pursuant to Tenn. Code Ann. § 7-51-210, the estate of a law enforcement officer who is killed in the line of duty is entitled to receive a \$250,000 annuity, paid by the state in installments of \$50,000 each year for five years.
- The proposed legislation adds commissioned reserve law enforcement officers to the list of emergency responders who would be eligible for such annuity if the emergency responder was current in any required training and physical exams at the time of death.
- Tennessee Code Annotated § 8-27-210 establishes continued health insurance coverage for surviving family members of full-time state and locally employed first responders killed in the line of duty, if approved by the State Insurance Committee. Based on information provided by the Department of Finance & Administration, such benefits have not been approved; therefore, any increase in state expenditures is considered not significant.
- Pursuant to Tenn. Code Ann. § 8-27-404(b), if a local government offers health insurance benefits to first responders, the local government may offer or continue to provide health insurance benefits to the surviving spouse and children of a first responder killed in the line of duty for up to two years after the death of the first responder. The state must reimburse a local government for the local government's portion of the health insurance costs.

- The proposed legislation adds a commissioned reserve law enforcement officer's surviving spouse and children to the list of those who would be eligible for health insurance benefits if the local government offers health insurance benefits.
- It is assumed that most local governments participate in providing benefits for survivors and will be reimbursed by the state; however, local governments can choose from a variety of healthcare coverages, and the rates vary between plans offered by each local government.
- In the event such a death occurs in a local government that provides benefits for survivors, there will be an effective decrease in local government expenditures. Any such decrease in local government expenditures is dependent on multiple unknown factors, including the location and timing of any deaths, and cannot be reasonably determined.
- This analysis assumes that civil liability immunity would currently apply to commissioned reserve law enforcement officers under the Government Tort Liability Act; therefore, any increase in state and local expenditures is considered not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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