



## Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873  
Email: [fiscal.bureau@legis.wisconsin.gov](mailto:fiscal.bureau@legis.wisconsin.gov) • Website: <http://legis.wisconsin.gov/lfb>

October 2, 2019

TO: Members  
Joint Committee on Finance

FROM: Bob Lang, Director

SUBJECT: Assembly Bill 300/Senate Bill 266: Payment of Health Insurance Premiums for Survivors of a Law Enforcement Officer who Dies in the Line of Duty

Assembly Bill 300 and Senate Bill 266 are companion bills related to the payment of health insurance premiums for survivors of a law enforcement officer who dies in the line of duty.

Assembly Bill 300 was introduced on June 20, 2019, and referred to the Assembly Committee on Insurance. On August 29, Assembly Substitute Amendment 1 to AB 300 was introduced and a public hearing was held on September 17, 2019. The Assembly Committee has scheduled an executive session on the bill for October 1, 2019.

Senate Bill 266 was introduced on June 7, 2019, and referred to the Senate Committee on Judiciary and Public Safety. On September 11, 2019, Senate Substitute Amendment 1 to SB 266 was introduced and a public hearing was held on the bill on September 17. On September 25, 2019, the Senate Committee adopted SSA 1 to SB 266 and recommended the bill for passage on a vote of 5-0.

ASA 1 to AB 300 and SSA 1 to SB 266 are identical. This paper describes the provisions of the substitute amendments.

### **Current Law**

Under current law, if a municipality (town, village, or city) pays for health insurance premiums for its fire fighters, the municipality must continue to pay the premiums for the surviving spouse and dependent children of a fire fighter who dies in the line of duty.

Premium payments for a surviving spouse terminate when the spouse remarries or reaches the age of 65. Premium payments on behalf of a dependent child terminate when the child reaches age 18, unless the child is a full-time high school student, or is a full-time or part-time student at an

accredited college or university, at the close of the calendar year in which the child reaches the age of 27.

### **Summary of Substitute Amendments**

The substitute amendments would add certain law enforcement officers, in addition to fire fighters, whose surviving family members would be covered under the law. Included would be officers of a local police department, police chiefs, county jailers, state patrol officers, state Capitol police officers, state conservation wardens, sheriffs, deputy sheriffs, undersheriffs, officers in the Division of Criminal Investigation in the Department of Justice, University of Wisconsin and Marquette University police officers, and Emergency Medical Services (EMS) practitioners.

The substitute amendments would modify the current law provision regarding premium payments for dependent children to indicate that payments would terminate at age 26 in all cases, without consideration of school enrollment.

Under current law, there is no definition of the term, "dies in the line of duty." The substitute amendments would define that term to mean "a death that occurs, or occurred, as a direct and proximate result of a personal injury sustained by, or a single exposure to a hazardous material or condition experienced by, a law enforcement officer, fire fighter, or emergency medical services practitioner while he or she was engaged in a line of duty activity or that arose out of and as a result of such an individual's performance of a line of active duty."

Currently, the payment of health insurance premiums for survivors of a fire fighter who dies in the line of duty is the responsibility of the town, village, or city that pays health insurance premiums for its fire fighters. Under the substitute amendments, towns, villages, cities, and counties that pay health insurance premiums for survivors of fire fighters, law enforcement officers, and EMS practitioners would contact the Department of Revenue for reimbursement of those payments.

The Department of Revenue would be required to reimburse local governments from the appropriation for county and municipal aid (shared revenue). The county and municipal aid amount is statutorily set at \$748.1 million. The reimbursements for health insurance premiums under the substitute amendments would be a "first draw" on the account. Once the current year amount of funding is established as a result of insurance premiums paid in the prior year, each entity's aid payment would be in proportion to each entity's share of the total distribution of shared revenue payments in the prior year.

Reimbursement for health insurance premium payments to survivors would not be available to a state or university entity.

The substitute amendments specify that the new or continued health insurance premium payments are required for the surviving spouse and dependent children of an officer or EMS practitioner who dies in the line of duty on or after January 1, 2019.

BL/lb