

SENATE . . . . . No. 1226

The Commonwealth of Massachusetts

PRESENTED BY:

James B. Eldridge

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to death benefits to surviving spouses of firefighters and to other emergency personnel.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
James B. Eldridge	Middlesex and Worcester
Anne M. Gobi	5th Worcester
Angelo J. Puppolo, Jr.	12th Hampden
Paul W. Mark	2nd Berkshire
Bradley H. Jones, Jr.	20th Middlesex
Peter V. Kocot	1st Hampshire
Brian R. Mannal	2nd Barnstable
Christine E. Canavan	10th Plymouth
Randy Hunt	5th Barnstable
John W. Scibak	2nd Hampshire
Todd M. Smola	1st Hampden
Stephen Kulik	1st Franklin
Kimberly N. Ferguson	1st Worcester
Bruce E. Tarr	First Essex and Middlesex

**SENATE . . . . . No. 1226**

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By Mr. Eldridge, a petition (accompanied by bill, Senate, No. 1226) of James B. Eldridge, Anne M. Gobi, Angelo J. Puppolo, Jr., Paul W. Mark and other members of the General Court for legislation relative to death benefits to surviving spouses of firefighters and other emergency personnel. Public Service.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 1264 OF 2011-2012.]

**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Thirteen**  
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An Act relative to death benefits to surviving spouses of firefighters and to other emergency personnel.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. Notwithstanding the provisions of any general or special law to the  
2 contrary, upon the death of any firefighter, any call, volunteer, auxiliary, intermittent, part-time  
3 or reserve firefighter, any emergency medical services provider, any call, volunteer, auxiliary,  
4 intermittent, part-time or reserve emergency medical services provider, any police officer, any  
5 auxiliary, intermittent, special, part-time or reserve police officer, who while in the performance  
6 of duties, and as a result of incident, accident or violence, is killed or sustains injuries which are  
7 the direct and proximate cause of death, the surviving spouse may participate in the group  
8 hospital, surgical, medical, dental and other health insurance for themselves and their dependents  
9 under age nineteen, or have attained age 22 if a full-time student, and such benefit shall continue  
10 for such children who are over age nineteen and physically or mentally incapacitated from  
11 earning, until the remarriage or death of said surviving spouse; provided that application for such  
12 insurance shall be filed with the appropriate public authority and a method for the payment of  
13 premiums shall be determined in accordance with its rules and regulations; and provided, further  
14 that said surviving spouse shall pay a premium at the same rate as retirees of the governmental  
15 unit from time to time as part of the total cost for such hospital, surgical, medical, dental and  
16 other health insurance. No payment shall be made under this section unless and until there is on

17 file in the office of the city auditor, town accountant or officer having similar duties, a copy of  
18 the marriage certificate of the widow, a record of the birth of each dependent child under the age  
19 of nineteen, and medical certificate for each dependent child who is physically or mentally  
20 incapacitated from earnings. The city auditor, town accountant or officer having similar duties  
21 shall annually require, for the purpose of supporting continuance of payments authorized under  
22 this section, such further certificates as may be necessary to evidence that a widow has not  
23 remarried or a child over nineteen continues physically or mentally incapacitated from earning.  
24 The words “full-time student” shall mean a child who is in full-time attendance in an accredited  
25 educational institution offering full-time courses of study equivalent to or higher than secondary  
26 school study. The words “accredited educational institution” shall mean any school, college or  
27 university that is licensed, approved or accredited, as the case may be, in the state in which it is  
28 located.

29           SECTION 2. This act shall take effect in a city, town or district upon its acceptance in the  
30 following manner: In a city having a Plan D or Plan E charter by majority vote of its city council;  
31 in any other city by vote of its city council, approved by the mayor; in a district by vote of the  
32 registered voters of the district at a district meeting; and in a town by a vote of the registered  
33 voters at a town meeting.