

SENATE No. 1438

The Commonwealth of Massachusetts

PRESENTED BY:

James E. Timilty

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 line of duty death benefits.

PETITION OF:

NAME:

James E. Timilty

Paul McMurtry

DISTRICT/ADDRESS:

Bristol and Norfolk

11th Norfolk

SENATE No. 1438

By Mr. Timilty, a petition (accompanied by bill, Senate, No. 1438) of James E. Timilty and Paul
McMurtry for legislation relative to line of duty death benefits. Public Service.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1299 OF 2013-2014.]

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act relative to line of duty death benefits.

*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. Section 16 of chapter 15A of the General Laws, as appearing in the 2012
2 Official Edition, is hereby amended by striking out the ninth paragraph and inserting in place
3 thereof the following 3 paragraphs:-

4 There shall be a Public Service Scholarship Program to provide scholarships for tuition at
5 a public or independent institution of higher education in the commonwealth to pursue
6 undergraduate studies. The following individuals shall be eligible for the Public Service
7 Scholarship Program: (i) children and widowed spouses of a deceased public safety employee, as
8 defined in section 100A of chapter 32, who, while in the performance of the public safety
9 employee’s duties and as a result of incident, accident or violence, was killed or sustained
10 injuries that were the direct and proximate cause of the employee’s death, including authorized

11 training duty; (ii) children of prisoners of war or military or service persons missing in action in
12 Southeast Asia whose wartime service is credited to the commonwealth and whose service was
13 between February 1, 1955 and the termination of the Vietnam campaign; and (iii) surviving
14 children of a veteran, as defined in section 7 of chapter 4, whose service was credited to the
15 commonwealth and who was killed in action or otherwise died as a result of such service. The
16 scholarships shall be awarded by the council pursuant to its guidelines established to govern this
17 program. The council shall determine the value of the scholarships.

18 Upon admittance for undergraduate studies at a public institution of higher education as
19 provided in section 5, an eligible surviving child as described in the preceding paragraph shall be
20 entitled to a full scholarship for student charges due for tuition, mandatory fees and room and
21 board for on-campus housing during the period of attendance subject to any restrictions
22 established by the program, provided, however, that the child shall also complete and submit a
23 free application for federal student aid and accept any federal grants awarded through the
24 application. Any full scholarship shall be reduced by the amount of federal grants awarded to the
25 child.

26 A full scholarship through the program shall only be allowed for any period that the
27 eligible surviving child is enrolled as a full-time student at a qualifying public institution of
28 higher education. No child shall receive a full scholarship through the program if: (a) the child
29 has previously been awarded a degree from a public or private college, university or other
30 institution of higher education; (b) the child fails to maintain satisfactory academic progress
31 during the child's attendance at a qualifying public institution of higher education after receiving
32 a full scholarship; or (c) the deceased parent was not a resident of the commonwealth at the time
33 of entry or continuance into active and full-time military service or service as a public safety

34 employee. The council shall establish general guidelines and regulations for the application and
35 administration of full scholarships at qualifying public institutions of higher education.

36 SECTION 2. Section 19½ of said chapter 15A is hereby repealed.

37 SECTION 3. Section 100A of chapter 32 of the General Laws is hereby amended by
38 inserting after the figure "15A", in line 18, as appearing in the 2012 Official Edition, the
39 following words:- , any deputy sheriff.

40 SECTION 4. Section 1 of this act shall take effect for the 2015-2016 school year.