

**SENATE . . . . . No. 1473**

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**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*

DISTRICT/ADDRESS:

*Bristol and Norfolk*

**SENATE . . . . . No. 1473**

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By Mr. Timilty, a petition (accompanied by bill, Senate, No. 1473) of James E. Timilty for legislation relative to line of duty death benefits. Public Service.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 1438 OF 2015-2016.]

**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the One Hundred and Ninetieth General Court  
(2017-2018)**  
\_\_\_\_\_

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 2014  
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 2014 Official Edition, the  
39 following words:- , any deputy sheriff.

40 SECTION 4. Section 1 of this act shall take effect for the 2018-2019 school year.