

4/20/15

3:54 P.M.

Chapter No. 467
15/SS02/R654SG
HR 1B/HR

SENATE BILL NO. 2323

Originated in Senate

AgWelch

Secretary

SENATE BILL NO. 2323

AN ACT TO CREATE NEW SECTION 45-2-31, MISSISSIPPI CODE OF 1972, TO CREATE A DEATH BENEFITS TRUST FUND TO PROVIDE DEATH BENEFITS TO THE BENEFICIARIES OF DIRECTORS AND ASSISTANT DIRECTORS OF LOCAL EMERGENCY MANAGEMENT ORGANIZATIONS, AND CORONERS AND DEPUTY CORONERS WHO ARE KILLED WHILE ENGAGED IN THE PERFORMANCE OF THEIR OFFICIAL DUTIES; TO PROVIDE THAT THE DEPARTMENT OF PUBLIC SAFETY SHALL MANAGE THE TRUST FUND AND DISBURSE BENEFITS FROM THE TRUST FUND; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. The following shall be codified as Section 45-2-31, Mississippi Code of 1972:

45-2-31. (1) As used in this section, the term "covered individual" means the directors and assistant directors of local emergency management organizations established under Section 33-315-17, and coroners and deputy coroners.

(2) (a) The Department of Public Safety shall make a payment, as provided in this section, in the amount of One Hundred Thousand Dollars (\$100,000.00) when a covered individual, while engaged in the performance of the person's official duties, is accidentally or intentionally killed, provided that the killing is

not the result of suicide and that the bodily injury is not intentionally self-inflicted.

(b) The payment provided for in this subsection shall be made to the beneficiary who was designated in writing by the covered individual during the covered individual's lifetime. If no such designation is made, then the payment shall be made to the surviving child or children and spouse in equal portions, and if there is no surviving child or spouse, then to the parent or parents. If a beneficiary is not designated and there is no surviving child, spouse or parent, then the payment shall be made to the covered individual's estate.

(c) The payment made in this subsection is in addition to any workers' compensation or pension benefits and is exempt from the claims and demands of creditors of the covered individual.

(3) (a) There is established in the State Treasury a special fund to be known as the "Other Safety Officials Death Benefits Trust Fund." The trust fund shall be funded by monies made available by the Legislature by appropriations as needed, or by donation, contribution, gift or any other source.

(b) The State Treasurer shall invest the monies of the trust fund in any of the investments authorized for the funds of the Public Employees' Retirement System under Section 25-11-121, and those investments shall be subject to the limitations prescribed by Section 25-11-121.

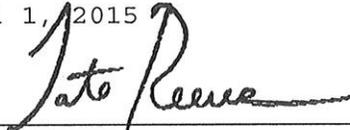
(c) Unexpended amounts remaining in the trust fund at the end of the state fiscal year shall not lapse into the State General Fund, and any income earned on amounts in the trust fund shall be deposited to the credit of the trust fund.

(4) The Department of Public Safety shall be responsible for the management of the trust fund and the disbursement of death benefits authorized under this section. The Department of Public Safety shall adopt rules and regulations necessary to implement and standardize the payment of death benefits under this section, to administer the trust fund created by this section and to carry out the purposes of this section.

SECTION 2. Section 1 of this act shall be codified as a new Article 3 in Chapter 2, Title 45, Mississippi Code of 1972.

SECTION 3. This act shall take effect and be in force from and after July 1, 2015.

PASSED BY THE SENATE
April 1, 2015



PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES
April 1, 2015



SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR



GOVERNOR

4/20/15
3:54 pm