

**2011 DRAFTING REQUEST**

**Senate Substitute Amendment (SSA-SB18)**

Received: 05/05/2011

Received By: mshovers

Wanted: As time permits

Companion to LRB:

For: Van Wanggaard (608) 266-1832

By/Representing: Scott

May Contact:

Drafter: mshovers

Subject: Local Gov't - munis generally  
Local Gov't - counties  
State Govt - miscellaneous

Addl. Drafters: rchampag

Extra Copies:

Submit via email: YES

Requester's email: Sen.Wanggaard@legis.wisconsin.gov

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

The state pays health insurance costs for law enforcement officers, firefighters, who fall in line of duty.

---

**Instructions:**

See attached. DOA shall pay health ins. costs of surviving spouse and kids, using the provisions in SB 18 and s. 66.0137 (5) (c) as a guide, for all law enforcement officers and firefighters killed in the line of duty.

---

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/1	mshovers 05/06/2011 rchampag 05/06/2011 mshovers 05/06/2011	wjackson 05/09/2011	rschluet 05/09/2011	_____	lparisi 05/09/2011	lparisi 05/09/2011	
/2	mshovers	wjackson	phenry	_____	sbasford	sbasford	

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	05/10/2011	05/10/2011	05/10/2011	_____	05/10/2011	05/10/2011	
/3	jkreye 05/10/2011	wjackson 05/10/2011	jfrantze 05/10/2011	_____	lparisi 05/10/2011	lparisi 05/10/2011	
/4	rchampag 05/11/2011	wjackson 05/11/2011	rschluet 05/11/2011	_____	lparisi 05/11/2011	lparisi 05/11/2011	

FE Sent For:

<END>

## 2011 DRAFTING REQUEST

### Senate Substitute Amendment (SSA-SB18)

Received: 05/05/2011

Received By: mshovers

Wanted: As time permits

Companion to LRB:

For: Van Wanggaard (608) 266-1832

By/Representing: Scott

May Contact:

Drafter: mshovers

Subject: Local Gov't - munis generally  
Local Gov't - counties  
State Govt - miscellaneous

Addl. Drafters: rchampag

Extra Copies:

Submit via email: YES

Requester's email: Sen.Wanggaard@legis.wisconsin.gov

Carbon copy (CC:) to:

---

#### Pre Topic:

No specific pre topic given

---

#### Topic:

The state pays health insurance costs for law enforcement officers, firefighters, who fall in line of duty.

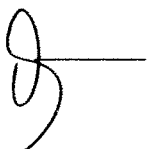
---

#### Instructions:

See attached. DOA shall pay health ins. costs of surviving spouse and kids, using the provisions in SB 18 and s. 66.0137 (5) (c) as a guide, for all law enforcement officers and firefighters killed in the line of duty.

---

#### Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/1	mshovers 05/06/2011 rchampag 05/06/2011 mshovers 05/06/2011	wjackson 05/09/2011	rschluet 05/09/2011	_____ _____ _____ _____	lparisi 05/09/2011	lparisi 05/09/2011	
/2	mshovers	wjackson	phenry 5/11		sbasford	sbasford	

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	05/10/2011	05/10/2011	05/10/2011	_____	05/10/2011	05/10/2011	
/3	jkreye 05/10/2011	wjackson 05/10/2011	jfrantze 05/10/2011	_____ _____	lparisi 05/10/2011	lparisi 05/10/2011	

FE Sent For:

14 wlj 5/11

<END>

### 2011 DRAFTING REQUEST

#### Senate Substitute Amendment (SSA-SB18)

Received: **05/05/2011**

Received By: **mshovers**

Wanted: **As time permits**

Companion to LRB:

For: **Van Wanggaard (608) 266-1832**

By/Representing: **Scott**

May Contact:

Drafter: **mshovers**

Subject: **Local Gov't - munis generally  
Local Gov't - counties  
State Govt - miscellaneous**

Addl. Drafters: **rchampag**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Wanggaard@legis.wisconsin.gov**

Carbon copy (CC:) to:

---

#### Pre Topic:

No specific pre topic given

---

#### Topic:

The state pays health insurance costs for law enforcement officers, firefighters, who fall in line of duty.

---

#### Instructions:

See attached. DOA shall pay health ins. costs of surviving spouse and kids, using the provisions in SB 18 and s. 66.0137 (5) (c) as a guide, for all law enforcement officers and firefighters killed in the line of duty.

---

#### Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/1	mshovers 05/06/2011 rchampag 05/06/2011 mshovers 05/06/2011	wjackson 05/09/2011	rschlue 05/09/2011	_____	lparisi 05/09/2011	lparisi 05/09/2011	
/2	mshovers	wjackson	phenry	_____	sbasford	sbasford	

13 WJ 5/10

J 5/10  
M 5/10

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	05/10/2011	05/10/2011	05/10/2011	_____	05/10/2011	05/10/2011	

FE Sent For:

<END>

**2011 DRAFTING REQUEST**

**Senate Substitute Amendment (SSA-SB18)**

Received: **05/05/2011**

Received By: **mshovers**

Wanted: **As time permits**

Companion to LRB:

For: **Van Wanggaard (608) 266-1832**

By/Representing: **Scott**

May Contact:

Drafter: **mshovers**

Subject: **Local Gov't - munis generally**  
**Local Gov't - counties**  
**State Govt - miscellaneous**

Addl. Drafters: **rchampag**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Wanggaard@legis.wisconsin.gov**

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

The state pays health insurance costs for law enforcement officers, firefighters, who fall in line of duty.

---

**Instructions:**

See attached. DOA shall pay health ins. costs of surviving spouse and kids, using the provisions in SB 18 and s. 66.0137 (5) (c) as a guide, for all law enforcement officers and firefighters killed in the line of duty.

---

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/1	mshovers 05/06/2011	wjackson 05/09/2011	rschluet 05/09/2011	_____	lparisi 05/09/2011	lparisi 05/09/2011	
	rchampag 05/06/2011			_____			
	mshovers 05/06/2011			_____			

FE Sent For:

<END>



**2011 DRAFTING REQUEST**

**Senate Substitute Amendment (SSA-SB18)**

Received: 05/05/2011

Received By: mshovers

Wanted: As time permits

Companion to LRB:

For: Van Wanggaard (608) 266-1832

By/Representing: Scott

May Contact:

Drafter: mshovers

Subject: Local Gov't - munis generally  
Local Gov't - counties  
State Govt - miscellaneous

Adl. Drafters: rchampag

Extra Copies:

Submit via email: YES

Requester's email: Sen.Wanggaard@legis.wisconsin.gov

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

The state pays health insurance costs for law enforcement officers, firefighters, who fall in line of duty.


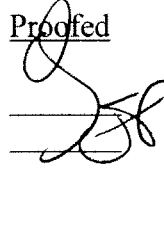
---

**Instructions:**

See attached. DOA shall pay health ins. costs of surviving spouse and kids, using the provisions in SB 18 and s. 66.0137 (5) (c) as a guide, for all law enforcement officers and firefighters killed in the line of duty.

---

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mshovers	1 Wlj 5/9					
11 NE SB RA		5/6/11	5/11				

FE Sent For:

<END>

S. 1832  
6-1832  
SB 18

Sub for  
Sen Waagand

- ① incl. all state & local police  
 sec. 165.85 (2)(c) - UW police  
 DNR wardens, state patrol
- ② they want survivors of fallen officers  
 to have their health ins picked  
 up by the state (apply to Dad  
 until they're 18 or out of HS -  
 same as in bill
- ③ add firefighters to h
- ④ is there a def of "line of duty"  
 find a def for line of duty  
 define line of duty

**Shovers, Marc**

---

**From:** Kelly, Scott  
**Sent:** Thursday, May 05, 2011 5:04 PM  
**To:** Shovers, Marc  
**Subject:** RE: Line of Duty defintion  
Correct

---

**From:** Shovers, Marc  
**Sent:** Thursday, May 05, 2011 4:56 PM  
**To:** Kelly, Scott  
**Subject:** RE: Line of Duty defintion

Thanks, Scott. Yes, my confusion stemmed from the imprecision of "eligible for consideration."

I gather that you mean that if someone contracts an infectious disease or is exposed to hazardous materials in the line of duty and such contraction or exposure is the direct and proximate cause of death, as determined by the body that "certifies" that the individual died in the line of duty, he or she is covered.

Marc

---

**From:** Kelly, Scott  
**Sent:** Thursday, May 05, 2011 4:49 PM  
**To:** Shovers, Marc  
**Subject:** RE: Line of Duty defintion

Hi Marc –

I don't know that your questions are mutually exclusive.

"Eligible for consideration" is probably an imprecise word here. We are requiring that the community/governing body for which the officer was employed certify to the state that the officer died in the line of duty. The idea is that the community may consider the infectious disease death as conceivably in the "line of duty".

Does this answer your question?

Scott

---

**From:** Shovers, Marc  
**Sent:** Thursday, May 05, 2011 4:43 PM  
**To:** Kelly, Scott  
**Subject:** RE: Line of Duty defintion

Hi Scott:

As I reviewed these definitions, I'm not sure what you mean by the following:

Deaths caused by infectious disease contracted while performing line of duty activities or exposure to hazardous materials or conditions while performing line of duty activities are eligible for consideration.

In particular, I'm not sure what "eligible for consideration" means. It seems sort of ambiguous.

Does this mean that if a law enforcement officer or firefighter contracts an infectious disease while acting in the line of duty he or she may or may not be covered by the bill? Who determines whether, and on what basis, a particular person would be "eligible?"

Or does the phrase mean that if someone contracts an infectious disease or is exposed to hazardous materials in the line of duty and such contraction or exposure is the direct and proximate cause of death, he or she is covered?

Thanks.

Marc

---

**From:** Kelly, Scott  
**Sent:** Thursday, May 05, 2011 3:17 PM  
**To:** Shovers, Marc  
**Cc:** Barry, Sarah  
**Subject:** FW: Line of Duty defintion

Marc –

Can you incorporate the changes as recommended by the chiefs? Thanks

Scott

---

**From:** Tony (John) Barthuly [mailto:tbarthuly@fdl.wi.gov]  
**Sent:** Thursday, May 05, 2011 3:15 PM  
**To:** Kelly, Scott  
**Subject:** RE: Line of Duty defintion

Hello Scott, I reviewed the wording and have no problems with it...Kenosha Chief John Morrissey – made the following suggestion/s to consider...thank you for pushing this bill. Tony

Hi Tony,

I like the word "died in the line of duty" better than killed, due to other causes, such as disease, car accidents, etc. Also, include a couple of different versions. Just FYI:

John

"Line of duty" means any action which is required or authorized by law, rule, regulation, condition of employment, or for which compensation is provided by the employing agency. The term "Line of Duty" is not intended to be synonymous with "On Duty". This definition is intended to include "line of duty" activities which may have occurred while the potential Honoree was in an "off duty" status. Clearly, an "off duty" employee responding to a fire, an armed robbery, an escape or an injured person

would be considered to be engaged in "line of duty" activities.

"Died in the line of duty" means death occurs as a direct and proximate result of a personal injury sustained while engaged in a "line of duty" activity, or which arose out of and as a result of such person's performance of a "line of duty" activity. Deaths caused by infectious disease contracted while performing line of duty activities or exposure to hazardous materials or conditions while performing line of duty activities are eligible for consideration. Not included under this definition are deaths attributed to natural causes, except when the medical condition arises out of a specific line of duty activity. Also not included under this definition are deaths which occur while engaged in an illegal activity, deaths attributed to voluntary alcohol or controlled substance abuse, deaths caused by gross negligence or misconduct, and deaths caused by the deceased's intention to bring about his or her own death.

Tony Barthuly, Chief of Police  
Session #186 FBINAA  
FBI LEEDS 51st. Session  
Officer Craig Birkholz #67 Will not be forgotten  
Be Strong, Be Safe, Be Positive  
[tbarthuly@fdl.wi.gov](mailto:tbarthuly@fdl.wi.gov)  
920.322.3706

*"Making Fond du Lac a safe place to live, learn, work and play"*

---

**From:** Kelly, Scott [mailto:Scott.Kelly@legis.wisconsin.gov]  
**Sent:** Thursday, May 05, 2011 12:43 PM  
**To:** Tony (John) Barthuly  
**Subject:** Line of Duty definition

Chief –

Senators Wanggaard and Jauch asked that I run these definitions by you to see if you approve of them. According to the Legislative Council and Legislative Reference Bureau, there is no state or federal definition of "Line of Duty". I have taken these definitions from the Wisconsin Law Enforcement Memorial criteria.

"Line of duty" means any action that the officer is obligated or authorized to perform as a condition of employment and for which they are compensated by the public agency they serve.

"Killed in the Line of Duty" means the officer died as a direct or proximate result of a personal injury sustained in the "line of duty". This includes law enforcement officers who, while off duty, act in response to a violation of the law. This does not include deaths that are the result of natural causes, unless the causes arises from a specific response to a law violation or emergency situation causing immediate death or death within 24 hours of the violation or incident; deaths attributed to voluntary alcohol or controlled substance abuse; deaths cause by intention misconduct, suicide, or deaths caused in the line of duty if the officer is performing in a grossly negligent way.

If you approve, we are hopefully on our way to getting this out of committee next week.

Thanks!

Scott

Scott Kelly

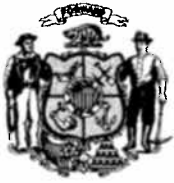
Senator Van Wanggaard

21st Senate District

5/6/2011

(608)266-1832

scott.kelly@legis.wisconsin.gov



State of Wisconsin  
2011 - 2012 LEGISLATURE

STET



LRBs00994  
MES&RAC.....

Wlj

fmr

SENATE SUBSTITUTE AMENDMENT,  
TO 2011 SENATE BILL 18

WANTED!  
MONDAY A.M.

Gen Scot

1 AN ACT ...; relating to: requiring the payment of health insurance premiums for  
2 survivors of a law enforcement officer or fire fighter who dies, or has died, in the  
3 line of duty and making an appropriation.

or county (political subdivisions)

**Analysis by the Legislative Reference Bureau**

Subject to a number of limitations, current law requires a city, village, or town (municipality) that pays health insurance premiums for its employees who are fire fighters to pay such premiums for the surviving spouse and dependent children of a fire fighter who dies, or has died, in the line of duty. This general current law requirement does not apply to a surviving spouse who remarries or reaches the age of 65, or to a dependent child who reaches the age of 18 and is not a full-time high school student. Current law does require premium payments to be made for a dependent child who is a full-time or part-time student in an accredited college or university until the close of the calendar year in which the individual reaches the age of 27. This substitute amendment requires <sup>ca</sup> municipality that pays health insurance premiums for its employees who are law enforcement officers to pay such premiums for the surviving spouse and dependent children of a law enforcement officer who dies, or has died, in the line of duty.

ff

NOT

→ In addition, the substitute amendment requires the state to reimburse municipalities for premiums paid to cover the surviving spouses and dependents of fallen fire fighters and law enforcement officers that were paid by the municipalities

political subdivisions

Use 2x

and that were not otherwise required to be paid under an employment-related benefit provided to the fire fighter or law enforcement officer. The substitute amendment establishes a process whereby political subdivisions may seek reimbursement of the payment of premiums from the Department of Administration.

\* (Finally) the substitute amendment requires the state to pay health insurance premiums for the surviving spouse and dependent children of a law enforcement officer who was employed by the state and who dies, or has died, in the line of duty. The state is to pay these health insurance premiums only after any sick leave credits that may be used for the purchase of health insurance have been exhausted.

The substitute amendment first applies, retroactively, to a law enforcement officer or fire fighter who has died in the line of duty before the effective date of the substitute amendment, but only with respect to the payment of health insurance premiums that come due on or after the effective date of this substitute amendment.

---

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

1 SECTION 1. 16.14 of the statutes is created to read:

2 **16.14 Payment of health insurance premiums for dependents of fire**  
3 **fighters and law enforcement officers who die in line of duty.** (1) In this  
4 section:

5 (a) "Dies in the line of duty" means a death that occurs, or occurred, as a direct  
6 and proximate result of one or more of the following, sustained by a law enforcement  
7 officer while he or she was engaged in a line of duty activity, or <sup>that</sup> ~~which~~ arose out of and  
8 as a result of such an individual's performance of a line of duty activity:

- 9 1. A personal injury.
- 10 2. The contraction of an infectious disease.
- 11 3. Exposure to hazardous materials or conditions.

12 (b) "Law enforcement officer" means any person employed by the state for the  
13 purpose of detecting and preventing crime and enforcing laws and who is authorized  
14 to make arrests for violations of the laws that the person is employed to enforce.



1 (c) "Line of duty activity" means any employment-related action taken by a law  
 2 enforcement officer <sup>that</sup> ~~which~~ is required or authorized by law, rule, regulation, or  
 3 condition of employment, <sup>and</sup> ~~and~~ for which compensation is provided by his or her  
 4 employer or would have been eligible <sup>to be provided</sup> ~~for compensation~~ by the employer if the  
 5 <sup>law enforcement officer had been</sup> ~~employee was~~ on duty when he or she took the action in question.

6 (d) "Political subdivision" has the meaning given in s. 66.0137 (1) (c). ✓

7 (2) (a) Except as provided in pars. (b) to (d), ✓ if a law enforcement officer dies  
 8 in the line of duty the department shall pay the premiums for hospital, surgical, and  
 9 other health insurance for the surviving spouse and dependent children of the law  
 10 enforcement officer. The department shall either reimburse the surviving spouse <sup>and</sup> ~~and~~  
 11 dependent children for the payment of the premiums or shall pay the premiums  
 12 directly to the department of employe<sup>e</sup> trust funds for health care coverage under  
 13 subch. IV of ch. 40, whichever the department considers appropriate. Premiums  
 14 shall be paid from the appropriation under s. 20.505 (1) (cr). ✓

15 (b) The department shall only pay the premiums for the surviving spouse until  
 16 the spouse remarries or reaches the age of 65, whichever occurs first.

17 (c) The department shall only pay the premiums for a surviving dependent  
 18 child until ~~he or she reaches~~ <sup>reaches</sup> the age of 18 unless any of the following <sup>applies</sup> ~~apply~~:

- 19 1. The individual is a full-time student in a secondary school.
- 20 2. The individual is a full-time or part-time student in an accredited college  
 21 or university, except that this subdivision does not apply to such an individual after  
 22 the close of the calendar year in which the individual reaches the age of 27.

23 (d) The department shall pay the premiums for the surviving spouse and  
 24 dependent children of the law enforcement officer only after the exhaustion of any  
 25 credits under ss. 40.05 (4) (b) ✓ and 40.95 (1). ✓

1           (3) The department shall reimburse any political subdivision for health  
 2 insurance premiums paid by the political subdivision under s. 66.0137 (5) (c) 1. and  
 3 1m., provided the political subdivision submits the form and certification under s.  
 4 66.0137 (5) (c) 4. The reimbursement shall be paid from the appropriation under s.  
 5 20.505 (1) (cr).

6           **SECTION 2.** 20.505 (1) (cr) of the statutes is created to read:

7           20.505 (1) (cr) *Payment of health insurance premiums for dependents of fire*  
 8 *fighters and law enforcement officers who die in line of duty.* A sum sufficient to pay  
 9 the premiums and reimbursements under s. 16.14.

10           **SECTION 3.** 66.0137 (1) (ae) of the statutes is renumbered 66.0137 (1) (as) and  
 11 amended to read:

12           66.0137 (1) (as) "Local governmental unit" means a ~~municipality, county~~  
 13 political subdivision, school district (as enumerated in s. 67.01 (5)), sewerage district,  
 14 drainage district, and, without limitation because of enumeration, any other political  
 15 subdivision of the state.

16           **SECTION 4.** 66.0137 (1) (af) of the statutes is created to read:

17           66.0137 (1) (af) "Dies in the line of duty" means a death that occurs, or occurred,  
 18 as a direct and proximate result of one or more of the following, sustained by a law  
 19 enforcement officer <sup>or</sup> of fire fighter while he or she was engaged in a line of duty  
 20 activity <sup>& that</sup> or ~~which~~ arose out of and as a result of such an individual's performance of  
 21 a line of duty activity:

- 22           1. A personal injury.
- 23           2. The contraction of an infectious disease.
- 24           3. Exposure to hazardous materials or conditions.

25           **SECTION 5.** 66.0137 (1) (am) of the statutes is created to read:

1           66.0137 (1) (am) "Law enforcement officer" means any person employed by a  
2 political subdivision for the purpose of detecting and preventing crime and enforcing  
3 laws or ordinances and who is authorized to make arrests for violations of the laws  
4 or ordinances that the person is employed to enforce.

5           **SECTION 6.** 66.0137 (1) (ap) of the statutes is created to read:

6           66.0137 (1) (ap) "Line of duty activity" means any employment-related action  
7 taken by a law enforcement officer <sup>e or</sup> of fire fighter <sup>that</sup> which is required or authorized by  
8 law, rule, regulation, or condition of employment and for which compensation is  
9 provided by his or her employing agency or would have been eligible <sup>e</sup> for  
10 ~~compensation~~ <sup>e - to be provided have been provided</sup> by the employing agency if the <sup>law enforcement officer or fire fighter had been</sup> employee <sup>was</sup> on duty when he or she  
11 took the action in question.

12           **SECTION 7.** 66.0137 (1) (c) of the statutes is created to read:

13           66.0137 (1) (c) "Political subdivision" means any municipality or county.

14           **SECTION 8.** 66.0137 (3) of the statutes is amended to read:

15           66.0137 (3) HEALTH INSURANCE FOR UNEMPLOYED PERSONS. Any ~~municipality or~~  
16 ~~county~~ political subdivision may purchase health or dental insurance for  
17 unemployed persons residing in the municipality or county who are not eligible for  
18 medical assistance under s. 49.46, 49.468, 49.47, or 49.471 (4) (a) or (b).

19           **SECTION 9.** 66.0137 (4m) (a) of the statutes is repealed.

20           **SECTION 10.** 66.0137 (5) (c) 1. of the statutes is amended to read:

21           66.0137 (5) (c) 1. Except as provided in subds. 2. <sup>↓</sup> and 3., and 4., if a municipality  
22 political subdivision provides for the payment of premiums for hospital, surgical, and  
23 other health insurance for its fire fighters, it shall continue to pay such premiums

Strike extra space

1 for the surviving spouse and dependent children of a the fire fighter who dies in the  
2 line of duty.

History: 1999 a. 9, 115; 1999 a. 150 ss. 34, 303 to 306; Stats. 1999 s. 66.0137; 1999 a. 186 s. 63; 2001 a. 16, 30; 2005 a. 194; 2005 a. 443 s. 265; 2007 a. 20, 36; 2009 a. 14, 28, 146, 180, 218, 276, 285; s. 13.92 (2) (i).

3 SECTION 11. 66.0137 (5) (c) 1m. of the statutes is created to read:

4 66.0137 (5) (c) 1m. Except as provided in subds. 2. ~~and~~ 3., and 4., if a political  
5 subdivision provides for the payment of premiums for hospital, surgical, and other  
6 health insurance for its law enforcement officers, it shall continue to pay such  
7 premiums for the surviving spouse and dependent children of the law enforcement  
8 officer who dies while in the line of duty.

plain

9 SECTION 12. 66.0137 (5) (c) 2. of the statutes is amended to read:

10 66.0137 (5) (c) 2. A municipality political subdivision may not be required to  
11 pay the premiums described in subd. 1. ~~or~~ for a surviving spouse upon the  
12 remarriage of the surviving spouse or upon the surviving spouse reaching the age of  
13 65.

14 SECTION 13. 66.0137 (5) (c) 3. (intro.) of the statutes is amended to read:

15 66.0137 (5) (c) 3. (intro.) An individual is not a dependent child for the purposes  
16 of subd. 1. or 1m. after the individual reaches the age of 18 unless one of the following  
17 applies:

18 SECTION 14. 66.0137 (5) (c) 4. of the statutes is created to read:

19 66.0137 (5) (c) 4. A political subdivision may seek reimbursement from the  
20 department of administration for the payment of any premiums described in subd.  
21 1. or 1m. that were paid by the political subdivision and that were not otherwise  
22 required to be paid under an employment-related benefit provided to the fire fighter  
23 or law enforcement officer. The political subdivision shall seek reimbursement from

24 the department of administration using a form provided by the department of

with written certification

STEF

if the political subdivision provides the department of administration that the individual on whose behalf the premiums are being paid died in the line of duty

1 administration that specifies the premium amounts paid by the political subdivision  
2 and the names, ages, and marital status of the individuals for whom the premiums  
3 were paid. The political subdivision shall also certify that the premiums could not  
4 be paid under a different employment-related benefit that was provided to the fire  
5 fighter or law enforcement officer.

6 **SECTION 15. Initial applicability.**

7 (1) This act first applies, retroactively, to a law enforcement officer or fire  
8 fighter who has died in the line of duty before the effective date of this subsection,  
9 but only with respect to the payment of health insurance premiums that come due  
10 on or after the effective date of this subsection.

11 (END)



State of Wisconsin  
2011 - 2012 LEGISLATURE



LRBs0099/d  
MES&RAC:wlj:rs

stop → fmf

SENATE SUBSTITUTE AMENDMENT,  
TO 2011 SENATE BILL 18

WANTED  
today 1pm

reger

and establishing  
a loan program

1 AN ACT *to repeal* 66.0137 (4m) (a); *to renumber and amend* 66.0137 (1) (ae);  
2 *to amend* 66.0137 (3), 66.0137 (5) (c) 1., 66.0137 (5) (c) 2. and 66.0137 (5) (c) 3.  
3 (intro.); and *to create* 16.14, 20.505 (1) (cr), 66.0137 (1) (af), 66.0137 (1) (am),  
4 66.0137 (1) (ap), 66.0137 (1) (c), 66.0137 (5) (c) 1m. and 66.0137 (5) (c) 4. of the  
5 statutes; **relating to:** requiring the payment of health insurance premiums for  
6 survivors of a law enforcement officer or fire fighter who dies, or has died, in the  
7 line of duty and making an appropriation.

**Analysis by the Legislative Reference Bureau**

Subject to a number of limitations, current law requires a city, village, or town (municipality) that pays health insurance premiums for its employees who are fire fighters to pay such premiums for the surviving spouse and dependent children of a fire fighter who dies, or has died, in the line of duty. This general current law requirement does not apply to a surviving spouse who remarries or reaches the age of 65, or to a dependent child who reaches the age of 18 and is not a full-time high school student. Current law does require premium payments to be made for a dependent child who is a full-time or part-time student in an accredited college or

university until the close of the calendar year in which the individual reaches the age of 27.

This substitute amendment requires a municipality or county (political subdivision) that pays health insurance premiums for its employees who are law enforcement officers to pay such premiums for the surviving spouse and dependent children of a law enforcement officer who dies, or has died, in the line of duty. In addition, the substitute amendment requires the state to reimburse political subdivisions for premiums paid to cover the surviving spouses and dependents of fallen fire fighters and law enforcement officers that were paid by the political subdivisions and that were not otherwise required to be paid under an employment-related benefit provided to the fire fighter or law enforcement officer. The substitute amendment establishes a process whereby political subdivisions may seek reimbursement of the payment of premiums from the Department of Administration. (DAA)

The substitute amendment <sup>Also</sup> requires the state to pay health insurance premiums for the surviving spouse and dependent children of a law enforcement officer who was employed by the state and who dies, or has died, in the line of duty. The state is to pay these health insurance premiums only after any sick leave credits that may be used for the purchase of health insurance have been exhausted.

The substitute amendment first applies, retroactively, to a law enforcement officer or fire fighter who has died in the line of duty before the effective date of the substitute amendment, but only with respect to the payment of health insurance premiums that come due on or after the effective date of this substitute amendment.

Intent Analysis

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

1  
2  
3  
4  
5  
6  
7  
8  
9  
10

SECTION 1. 16.14 of the statutes is created to read:

<sup>paying</sup>  
**16.14 Payment of health insurance premiums for dependents of fire fighters and law enforcement officers who die in line of duty.** (1) In this

section:

(a) "Dies in the line of duty" means a death that occurs, or occurred, as a direct and proximate result of one or more of the following, sustained by a law enforcement officer 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 duty activity:

- 1. A personal injury.
- 2. The contraction of an infectious disease.

and establishing a loan program

1           3. Exposure to hazardous materials or conditions.

2           (b) "Law enforcement officer" means any person employed by the state for the  
3           purpose of detecting and preventing crime and enforcing laws and who is authorized  
4           to make arrests for violations of the laws that the person is employed to enforce.

5           (c) "Line of duty activity" means any employment-related action taken by a law  
6           enforcement officer that is required or authorized by law, rule, regulation, or  
7           condition of employment and for which compensation is provided by his or her  
8           employer or would have been eligible to have been provided by the employer if the  
9           law enforcement officer had been on duty when he or she took the action in question.

10          (d) "Political subdivision" has the meaning given in s. 66.0137 (1) (c).

11          (2) (a) Except as provided in pars. (b) to (d), if a law enforcement officer dies  
12          in the line of duty the department shall pay the premiums for hospital, surgical, and  
13          other health insurance for the surviving spouse and dependent children of the law  
14          enforcement officer. The department shall either reimburse the surviving spouse  
15          and dependent children for the payment of the premiums or shall pay the premiums  
16          directly to the department of employee trust funds for health care coverage under  
17          subch. IV of ch. 40, whichever the department considers appropriate. Premiums  
18          shall be paid from the appropriation under s. 20.505 (1) (cr).

19          (b) The department shall pay the premiums for the surviving spouse only until  
20          the spouse remarries or reaches the age of 65, whichever occurs first.

21          (c) The department shall pay the premiums for a surviving dependent child  
22          only until he or she reaches the age of 18 unless any of the following applies:

23           1. The individual is a full-time student in a secondary school.



1           2. The individual is a full-time or part-time student in an accredited college  
2 or university, except that this subdivision does not apply to such an individual after  
3 the close of the calendar year in which the individual reaches the age of 27.

4           (d) The department shall pay the premiums for the surviving spouse and  
5 dependent children of the law enforcement officer only after the exhaustion of any  
6 credits under ss. 40.05 (4) (b) and 40.95 (1).

7           (3) The department shall reimburse any political subdivision for health  
8 insurance premiums paid by the political subdivision under s. 66.0137 (5) (c) 1. and  
9 1m., provided the political subdivision submits the form and certification under s.  
10 66.0137 (5) (c) 4. The reimbursement shall be paid from the appropriation under s.  
11 20.505 (1) (cr).

12           **SECTION 2.** 20.505 (1) (cr) of the statutes is created to read:

13           20.505 (1) (cr) *Payment of health insurance premiums for dependents of fire*  
14 *fighters and law enforcement officers who die in line of duty.* A sum sufficient to pay  
15 the premiums and reimbursements *and make loans* under s. 16.14.

16           **SECTION 3.** 66.0137 (1) (ae) of the statutes is renumbered 66.0137 (1) (as) and  
17 amended to read:

18           66.0137 (1) (as) "Local governmental unit" means a ~~municipality, county~~  
19 political subdivision, school district (as enumerated in s. 67.01 (5)), sewerage district,  
20 drainage district, and, without limitation because of enumeration, any other political  
21 subdivision of the state.

22           **SECTION 4.** 66.0137 (1) (af) of the statutes is created to read:

23           66.0137 (1) (af) "Dies in the line of duty" means a death that occurs, or occurred,  
24 as a direct and proximate result of one or more of the following, sustained by a law  
25 enforcement officer or fire fighter while he or she was engaged in a line of duty

JMS  
4/11

I  
and loans

1 activity or that arose out of and as a result of such an individual's performance of a  
2 line of duty activity:

- 3 1. A personal injury.
- 4 2. The contraction of an infectious disease.
- 5 3. Exposure to hazardous materials or conditions.

6 **SECTION 5.** 66.0137 (1) (am) of the statutes is created to read:

7 66.0137 (1) (am) "Law enforcement officer" means any person employed by a  
8 political subdivision for the purpose of detecting and preventing crime and enforcing  
9 laws or ordinances and who is authorized to make arrests for violations of the laws  
10 or ordinances that the person is employed to enforce.

11 **SECTION 6.** 66.0137 (1) (ap) of the statutes is created to read:

12 66.0137 (1) (ap) "Line of duty activity" means any employment-related action  
13 taken by a law enforcement officer or fire fighter that is required or authorized by  
14 law, rule, regulation, or condition of employment and for which compensation is  
15 provided by his or her employing agency or would have been eligible to have been  
16 provided by the employing agency if the law enforcement officer or fire fighter had  
17 been on duty when he or she took the action in question.

18 **SECTION 7.** 66.0137 (1) (c) of the statutes is created to read:

19 66.0137 (1) (c) "Political subdivision" means any municipality or county.

20 **SECTION 8.** 66.0137 (3) of the statutes is amended to read:

21 66.0137 (3) HEALTH INSURANCE FOR UNEMPLOYED PERSONS. Any ~~municipality or~~  
22 ~~county~~ political subdivision may purchase health or dental insurance for  
23 unemployed persons residing in the municipality or county who are not eligible for  
24 medical assistance under s. 49.46, 49.468, 49.47, or 49.471 (4) (a) or (b).

25 **SECTION 9.** 66.0137 (4m) (a) of the statutes is repealed.

1           **SECTION 10.** 66.0137 (5) (c) 1. of the statutes is amended to read:

2           66.0137 (5) (c) 1. Except as provided in subds. 2. ~~and 3., and 4.,~~ if a ~~municipality~~  
3 political subdivision provides for the payment of premiums for hospital, surgical, and  
4 other health insurance for its fire fighters, it shall continue to pay such premiums  
5 for the surviving spouse and dependent children of ~~a~~ the fire fighter who dies in the  
6 line of duty.

7           **SECTION 11.** 66.0137 (5) (c) 1m. of the statutes is created to read:

8           66.0137 (5) (c) 1m. Except as provided in subds. 2., 3., and 4., if a political  
9 subdivision provides for the payment of premiums for hospital, surgical, and other  
10 health insurance for its law enforcement officers, it shall continue to pay such  
11 premiums for the surviving spouse and dependent children of the law enforcement  
12 officer who dies while in the line of duty.

13           **SECTION 12.** 66.0137 (5) (c) 2. of the statutes is amended to read:

14           66.0137 (5) (c) 2. A ~~municipality~~ political subdivision may not be required to  
15 pay the premiums described in subd. 1. or 1m. for a surviving spouse upon the  
16 remarriage of the surviving spouse or upon the surviving spouse reaching the age of  
17 65.

18           **SECTION 13.** 66.0137 (5) (c) 3. (intro.) of the statutes is amended to read:

19           66.0137 (5) (c) 3. (intro.) An individual is not a dependent child for the purposes  
20 of subd. 1. or 1m. after the individual reaches the age of 18 unless one of the following  
21 applies:

22           **SECTION 14.** 66.0137 (5) (c) 4. of the statutes is created to read:

23           66.0137 (5) (c) 4. A political subdivision may seek reimbursement from the  
24 department of administration for the payment of any premiums described in subd.  
25 1. or 1m. that were paid by the political subdivision and that were not otherwise

*under s. 16.14(3) ✓*

1 required to be paid under an employment-related benefit provided to the fire fighter  
2 or law enforcement officer if the political subdivision provides the department of  
3 administration with written certification that the individual on whose behalf the  
4 premiums are being paid died in the line of duty. The political subdivision shall seek  
5 reimbursement from the department of administration, using a form provided by the  
6 department of administration that specifies the premium amounts paid by the  
7 political subdivision and the names, ages, and marital status of the individuals for  
8 whom the premiums were paid. The political subdivision shall also certify that the  
9 premiums could not be paid under a different employment-related benefit that was  
10 provided to the fire fighter or law enforcement officer.

11 **SECTION 15. Initial applicability.**

12 (1) This act first applies, retroactively, to a law enforcement officer or fire  
13 fighter who has died in the line of duty before the effective date of this subsection,  
14 but only with respect to the payment of health insurance premiums that come due  
15 on or after the effective date of this subsection.

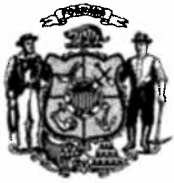
16 (END)

2011-2012 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRBs0099/2insRC  
RAC:.....

Analysis Insert

Finally, the substitute amendment <sup>Further</sup> requires DOA to establish a loan program for surviving spouses of law enforcement officers and fire fighters who have died in the line of duty. The loan program must provide for the payment of loans <sup>a</sup> to ~~the~~ <sup>a</sup> ~~his or her~~ surviving spouses <sup>e</sup> in an amount equal to the <sup>Salary</sup> ~~salaries~~ that would have been paid ~~their~~ <sup>he or she</sup> deceased spouses <sup>e</sup> had ~~they~~ not died in the line of duty. The loans <sup>e</sup> must be disbursed to coincide with the pay period that applied to ~~their~~ <sup>the</sup> deceased spouses <sup>e</sup>, must be secured by the proceeds of any life insurance policy that covered ~~the~~ <sup>the</sup> deceased spouses <sup>e</sup>, and come due when a surviving spouse receives the proceeds from the life insurance policy that covered his or her deceased spouse. No loan may be made for any period after the proceeds of a life insurance policy have been disbursed to the surviving spouse. ~~In order~~ <sup>e</sup> to qualify for a loan, a surviving spouse must apply for the loan on a form prepared by DOA; provide all documentation required by DOA to verify that his or her spouse died in the line of duty; provide all documentation required by DOA to verify the salary of the deceased spouse; and enter into an agreement with DOA that any loan must be secured by the proceeds of a life insurance policy that covered his or her deceased spouse.



**SENATE AMENDMENT ,  
TO SENATE SUBSTITUTE AMENDMENT (LRBs0099/1),  
TO 2011 SENATE BILL 18**

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 1, line 5: after “premiums” insert “, and establishing a loan program,”.

3 **2.** Page 2, line 2: after “premiums” insert “, and establishing a loan  
4 program,”.

5 **3.** Page 4, line 11: after that line insert:

6 (4) The department shall establish a loan program for surviving spouses of law  
7 enforcement officers who have died in the line of duty and for surviving spouses  
8 identified in s. 66.0137 (5) (c) 1. or 1m. The loan program shall provide for the  
9 payment of loans to <sup>a</sup> the surviving spouses <sup>a</sup> in an amount equal to the <sup>salary</sup> ~~salaries~~ that  
10 would have been paid <sup>his or her</sup> ~~their~~ deceased spouses <sup>he or she</sup> ~~they~~ had <sup>^</sup> they not died in the line of duty.  
11 The loans shall be disbursed to coincide with the pay period that applied to <sup>the</sup> ~~their~~  
12 deceased spouses and shall be secured by the proceeds of any life insurance policy

INS  
4-11  
P.1072

INS 4-11  
p. 2002

1 that covered ~~the~~<sup>the</sup> deceased spouses. Loans made under this subsection shall be paid  
 2 from the appropriation under s. 20.505 (1) (cr) and the repayment of loans shall be  
 3 credited to the general fund as general purpose revenue-earned. A loan shall come  
 4 due when a surviving spouse receives the proceeds from the life insurance policy that  
 5 covered his or her deceased spouse. No loan shall be made for any period after the  
 6 proceeds of a life insurance policy have been disbursed to the surviving spouse. ~~in~~  
 7 ~~order~~<sup>to</sup> to qualify for a loan under this subsection, a surviving spouse shall do all of the  
 8 following:

9 (a) Apply for the loan on a form prepared by the department.

10 (b) Provide all documentation required by the department to verify that his or  
 11 her spouse was a law enforcement officer who died in the line of duty or was an  
 12 individual identified in s. 66.0137 (5) (c) 1. or 1m. ✓

13 (c) Provide all documentation required by the department to verify the salary  
 14 of the deceased spouse.

15 (d) Enter into an agreement with the department that any loan made under  
 16 this subsection shall be secured by the proceeds of a life insurance policy that covered  
 17 his or her deceased spouse. }.

END of ins 4-11

18 4. Page 4, line 13: after "premiums" insert "and loans".

19 5. Page 4, line 15: after "reimbursements" insert "and make loans".

20 (END)



State of Wisconsin  
2011 - 2012 LEGISLATURE



LRBs0099/2  
MES&RAC:wlj:ph

3  
RMR  
stays  
RJK

SENATE SUBSTITUTE AMENDMENT,  
TO 2011 SENATE BILL 18

in 5-10  
Tooby

repeal

1 AN ACT *to repeal* 66.0137 (4m) (a); *to renumber and amend* 66.0137 (1) (ae);  
2 *to amend* 66.0137 (3), 66.0137 (5) (c) 1., 66.0137 (5) (c) 2. and 66.0137 (5) (c) 3.  
3 (intro.); and *to create* 16.14, 20.505 (1) (cr), 66.0137 (1) (af), 66.0137 (1) (am),  
4 66.0137 (1) (ap), 66.0137 (1) (c), 66.0137 (5) (c) 1m. and 66.0137 (5) (c) 4. of the  
5 statutes; **relating to:** requiring the payment of health insurance premiums,  
6 and establishing a loan program, for survivors of a law enforcement officer or  
7 fire fighter who dies, or has died, in the line of duty and making an  
8 appropriation.

***Analysis by the Legislative Reference Bureau***

Subject to a number of limitations, current law requires a city, village, or town (municipality) that pays health insurance premiums for its employees who are fire fighters to pay such premiums for the surviving spouse and dependent children of a fire fighter who dies, or has died, in the line of duty. This general current law requirement does not apply to a surviving spouse who remarries or reaches the age of 65, or to a dependent child who reaches the age of 18 and is not a full-time high school student. Current law does require premium payments to be made for a



dependent child who is a full-time or part-time student in an accredited college or university until the close of the calendar year in which the individual reaches the age of 27.

This substitute amendment requires a municipality or county (political subdivision) that pays health insurance premiums for its employees who are law enforcement officers to pay such premiums for the surviving spouse and dependent children of a law enforcement officer who dies, or has died, in the line of duty. In addition, the substitute amendment requires the state to reimburse political subdivisions for premiums paid to cover the surviving spouses and dependents of fallen fire fighters and law enforcement officers that were paid by the political subdivisions and that were not otherwise required to be paid under an employment-related benefit provided to the fire fighter or law enforcement officer. The substitute amendment establishes a process whereby political subdivisions may seek reimbursement of the payment of premiums from the Department of Administration (DOA).

The substitute amendment also requires the state to pay health insurance premiums for the surviving spouse and dependent children of a law enforcement officer who was employed by the state and who dies, or has died, in the line of duty. The state is to pay these health insurance premiums only after any sick leave credits that may be used for the purchase of health insurance have been exhausted.

The substitute amendment further requires DOA to establish a loan program for surviving spouses of law enforcement officers and fire fighters who have died in the line of duty. The loan program must provide for the payment of a loan to a surviving spouse in an amount equal to the salary that would have been paid his or her deceased spouse had he or she not died in the line of duty. The loan must be disbursed to coincide with the pay period that applied to the deceased spouse, must be secured by the proceeds of any life insurance policy that covered the deceased spouse, and come due when a surviving spouse receives the proceeds from the life insurance policy that covered his or her deceased spouse. No loan may be made for any period after the proceeds of a life insurance policy have been disbursed to the surviving spouse. To qualify for a loan, a surviving spouse must apply for the loan on a form prepared by DOA; provide all documentation required by DOA to verify that his or her spouse died in the line of duty; provide all documentation required by DOA to verify the salary of the deceased spouse; and enter into an agreement with DOA that any loan must be secured by the proceeds of a life insurance policy that covered his or her deceased spouse.

The substitute amendment first applies, retroactively, to a law enforcement officer or fire fighter who has died in the line of duty before the effective date of the substitute amendment, but only with respect to the payment of health insurance premiums that come due on or after the effective date of this substitute amendment.

**The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:**

*(1) Under the substitute amendment, the amounts that DOA disburses for premiums, reimbursements, and loans are paid from the county and municipal aid account (shared revenue) and the total amount of shared revenue*

*Payments is decreased by the amounts disbursed by DOA*

1 SECTION 1. 16.14 of the statutes is created to read:

2 16.14 Paying health insurance premiums, and establishing a loan  
3 program, for dependents of ~~fire fighters and~~ law enforcement officers who  
4 die in line of duty. (1) In this section:

5 (a) "Dies in the line of duty" means a death that occurs, or occurred, as a direct  
6 and proximate result of one or more of the following, sustained by a law enforcement  
7 officer while he or she was engaged in a line of duty activity, or that arose out of and  
8 as a result of such an individual's performance of a line of duty activity:

- 9 1. A personal injury.
- 10 2. The contraction of an infectious disease.
- 11 3. Exposure to hazardous materials or conditions.

12 (b) "Law enforcement officer" means any person employed by the state for the  
13 purpose of detecting and preventing crime and enforcing laws and who is authorized  
14 to make arrests for violations of the laws that the person is employed to enforce.

15 (c) "Line of duty activity" means any employment-related action taken by a law  
16 enforcement officer that is required or authorized by law, rule, regulation, or  
17 condition of employment and for which compensation is provided by his or her  
18 employer or would have been eligible to have been provided by the employer if the  
19 law enforcement officer had been on duty when he or she took the action in question.

20 (d) "Political subdivision" has the meaning given in s. 66.0137 (1) (c).

21 (2) (a) Except as provided in pars. (b) to (d), if a law enforcement officer dies  
22 in the line of duty the department shall pay the premiums for hospital, surgical, and  
23 other health insurance for the surviving spouse and dependent children of the law  
24 enforcement officer. The department shall either reimburse the surviving spouse  
25 and dependent children for the payment of the premiums or shall pay the premiums

1 directly to the department of employee trust funds for health care coverage under  
2 subch. IV of ch. 40, whichever the department considers appropriate. Premiums  
3 shall be paid from the appropriation under s. ~~20.505 (1) (cr)~~ 20.835(1)(db) ↓

4 (b) The department shall pay the premiums for the surviving spouse only until  
5 the spouse remarries or reaches the age of 65, whichever occurs first.

6 (c) The department shall pay the premiums for a surviving dependent child  
7 only until he or she reaches the age of 18 unless any of the following applies:

8 1. The individual is a full-time student in a secondary school.

9 2. The individual is a full-time or part-time student in an accredited college  
10 or university, except that this subdivision does not apply to such an individual after  
11 the close of the calendar year in which the individual reaches the age of 27.

12 (d) The department shall pay the premiums for the surviving spouse and  
13 dependent children of the law enforcement officer only after the exhaustion of any  
14 credits under ss. 40.05 (4) (b) and 40.95 (1).

15 (3) The department shall reimburse any political subdivision for health  
16 insurance premiums paid by the political subdivision under s. 66.0137 (5) (c) 1. and  
17 1m., provided the political subdivision submits the form and certification under s.  
18 66.0137 (5) (c) 4. The reimbursement shall be paid from the appropriation under s.

19 ~~20.505 (1) (cr)~~ 20.835(1)(db) ↓

20 (4) The department shall establish a loan program for surviving spouses of law  
21 enforcement officers who have died in the line of duty and for surviving spouses  
22 identified in s. 66.0137 (5) (c) 1. or 1m. The loan program shall provide for the  
23 payment of a loan to a surviving spouse in an amount equal to the salary that would  
24 have been paid his or her deceased spouse had he or she not died in the line of duty.  
25 The loan shall be disbursed to coincide with the pay period that applied to the

1 deceased spouse and shall be secured by the proceeds of any life insurance policy that  
 2 covered the deceased spouse. Loans made under this subsection shall be paid from  
 3 the appropriation under s. ~~20.505 (1) (cr)~~<sup>20.835(1)(db)</sup> and the repayment of loans shall be  
 4 credited to the general fund as general purpose revenue-earned. A loan shall come  
 5 due when a surviving spouse receives the proceeds from the life insurance policy that  
 6 covered his or her deceased spouse. No loan shall be made for any period after the  
 7 proceeds of a life insurance policy have been disbursed to the surviving spouse. To  
 8 qualify for a loan under this subsection, a surviving spouse shall do all of the  
 9 following:

10 (a) Apply for the loan on a form prepared by the department.

11 (b) Provide all documentation required by the department to verify that his or  
 12 her spouse was a law enforcement officer who died in the line of duty or was an  
 13 individual identified in s. 66.0137 (5) (c) 1. or 1m.

14 (c) Provide all documentation required by the department to verify the salary  
 15 of the deceased spouse.

16 (d) Enter into an agreement with the department that any loan made under  
 17 this subsection shall be secured by the proceeds of a life insurance policy that covered  
 18 his or her deceased spouse.

19 ~~SECTION 2. 20.505 (1) (cr) of the statutes is created to read:~~

20 ~~20.505 (1) (cr) Payment of health insurance premiums and loans for dependents~~  
 21 ~~of fire fighters and law enforcement officers who die in line of duty. A sum sufficient~~  
 22 ~~to pay the premiums and reimbursements and make loans under s. 16.14.~~

23 SECTION 3. 66.0137 (1) (ae) of the statutes is renumbered 66.0137 (1) (as) and

24 amended to read:

INSERT  
5-22JK

1           66.0137 (1) (as) “Local governmental unit” means a ~~municipality, county~~  
2 political subdivision, school district (as enumerated in s. 67.01 (5)), sewerage district,  
3 drainage district, and, without limitation because of enumeration, any other political  
4 subdivision of the state.

5           **SECTION 4.** 66.0137 (1) (af) of the statutes is created to read:

6           66.0137 (1) (af) “Dies in the line of duty” means a death that occurs, or occurred,  
7 as a direct and proximate result of one or more of the following, sustained by a law  
8 enforcement officer or fire fighter while he or she was engaged in a line of duty  
9 activity or that arose out of and as a result of such an individual’s performance of a  
10 line of duty activity:

- 11           1. A personal injury.
- 12           2. The contraction of an infectious disease.
- 13           3. Exposure to hazardous materials or conditions.

14           **SECTION 5.** 66.0137 (1) (am) of the statutes is created to read:

15           66.0137 (1) (am) “Law enforcement officer” means any person employed by a  
16 political subdivision for the purpose of detecting and preventing crime and enforcing  
17 laws or ordinances and who is authorized to make arrests for violations of the laws  
18 or ordinances that the person is employed to enforce.

19           **SECTION 6.** 66.0137 (1) (ap) of the statutes is created to read:

20           66.0137 (1) (ap) “Line of duty activity” means any employment-related action  
21 taken by a law enforcement officer or fire fighter that is required or authorized by  
22 law, rule, regulation, or condition of employment and for which compensation is  
23 provided by his or her employing agency or would have been eligible to have been  
24 provided by the employing agency if the law enforcement officer or fire fighter had  
25 been on duty when he or she took the action in question.

1           **SECTION 7.** 66.0137 (1) (c) of the statutes is created to read:

2           66.0137 (1) (c) "Political subdivision" means any municipality or county.

3           **SECTION 8.** 66.0137 (3) of the statutes is amended to read:

4           66.0137 (3) HEALTH INSURANCE FOR UNEMPLOYED PERSONS. Any ~~municipality or~~  
5           ~~county~~ political subdivision may purchase health or dental insurance for  
6           unemployed persons residing in the municipality or county who are not eligible for  
7           medical assistance under s. 49.46, 49.468, 49.47, or 49.471 (4) (a) or (b).

8           **SECTION 9.** 66.0137 (4m) (a) of the statutes is repealed.

9           **SECTION 10.** 66.0137 (5) (c) 1. of the statutes is amended to read:

10          66.0137 (5) (c) 1. Except as provided in subds. 2. ~~and~~, 3., and 4., if a ~~municipality~~  
11          political subdivision provides for the payment of premiums for hospital, surgical, and  
12          other health insurance for its fire fighters, it shall continue to pay such premiums  
13          for the surviving spouse and dependent children of ~~a~~ the fire fighter who dies in the  
14          line of duty.

15          **SECTION 11.** 66.0137 (5) (c) 1m. of the statutes is created to read:

16          66.0137 (5) (c) 1m. Except as provided in subds. 2., 3., and 4., if a political  
17          subdivision provides for the payment of premiums for hospital, surgical, and other  
18          health insurance for its law enforcement officers, it shall continue to pay such  
19          premiums for the surviving spouse and dependent children of the law enforcement  
20          officer who dies while in the line of duty.

21          **SECTION 12.** 66.0137 (5) (c) 2. of the statutes is amended to read:

22          66.0137 (5) (c) 2. A ~~municipality~~ political subdivision may not be required to  
23          pay the premiums described in subd. 1. or 1m. for a surviving spouse upon the  
24          remarriage of the surviving spouse or upon the surviving spouse reaching the age of  
25          65.



Insert 5 - 22 JK

1           SECTION ~~20.835~~ 20.835 (1) (db) of the statutes is amended to read:  
2           20.835 (1) (db) *County and municipal aid account.* A sum sufficient to make  
3           payments to counties, towns, villages, and cities under s. 79.035, less the amount  
4           paid from the appropriations under pars. (m), (q), and (r), and to pay the premiums  
5           and reimbursements and make loans under s. 16.14.

History: 1971 c. 125 ss. 192 to 195, 521; 1971 c. 215; 1973 c. 90, 158, 333; 1975 c. 39; 1975 c. 372 s. 41; 1975 c. 424; 1977 c. 29, 31, 313, 418, 447; 1979 c. 34 ss. 637m to 643m, 2102 (46) (d); 1979 c. 221; 1979 c. 329 s. 25 (1); 1979 c. 350 s. 27 (1); 1981 c. 1, 20, 93, 317; 1983 a. 2 ss. 1, 12; 1983 a. 27 ss. 489m, 490m, 2202 (45); 1985 a. 29, 41, 205; 1987 a. 27 ss. 473 to 474r, 476; 1987 a. 92; 1987 a. 312 s. 17; 1987 a. 323, 328, 399, 411, 422; 1989 a. 31 ss. 551 to 557m, 564m; 1989 a. 56 s. 259; 1989 a. 336; 1991 a. 37; 1991 a. 39 ss. 250m, 653m to 659m; 1991 a. 225, 269; 1993 a. 16, 263; 1995 a. 27, 56, 209, 417; 1997 a. 27, 237; 1999 a. 5, 9, 10; 1999 a. 150 s. 672; 1999 a. 167; 2001 a. 16, 105, 109; 2003 a. 31, 33, 320; 2005 a. 25, 361, 405, 483; 2007 a. 20, 96, 97, 226; 2009 a. 2, 28, 269, 295; s. 13.92 (1) (b) 2.

Insert 8 - 18 JK

6           SECTION ~~79.01~~ 79.01 (2d) of the statutes is amended to read:  
7           79.01 (2d) There is established an account in the general fund entitled the  
8           “County and Municipal Aid Account.” Beginning with the distributions in 2011, the  
9           total amount to be distributed each year to counties and municipalities from the  
10          county and municipal aid account is \$824,825,715, less the amounts paid under s.  
11          16.14.

History: 1971 c. 125; 1973 c. 90; 1973 c. 243 s. 82; 1973 c. 283, 336; 1975 c. 39; 1977 c. 29, 203; 1979 c. 221; 1989 a. 336; 1993 a. 16, 437; 1999 a. 9; 2001 a. 16, 109; 2003 a. 31; 2009 a. 28.

12          SECTION ~~79.043~~ 79.043 (6) of the statutes is amended to read:  
13          79.043 (6) For the distribution in 2011 and subsequent years, each county and  
14          municipality shall receive a payment under this section and s. 79.035 that is equal  
15          to the amount of the payment determined for the county or municipality under s.  
16          79.02 (4) in 2010, except that each payment to a county or municipality shall be  
17          reduced, in proportion to the county<sup>25</sup> or municipality's share of total payments under  
18          this section and s. 79.035, to reflect the reduction in the county and municipal aid  
19          account as a result of payments made under s. 16.14.

History: 2003 a. 33, 164 ss. 2 to 6; 2005 a. 25; 2009 a. 28.



## Champagne, Rick

---

**From:** Kelly, Scott  
**Sent:** Wednesday, May 11, 2011 7:37 AM  
**To:** Champagne, Rick  
**Cc:** Shovers, Marc; Kreye, Joseph  
**Subject:** Re:

Good catch - I'll send the stripes back when I get in

Sent from my iPhone

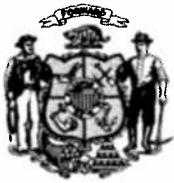
On May 11, 2011, at 7:16 AM, "Champagne, Rick" <[Rick.Champagne@legis.wisconsin.gov](mailto:Rick.Champagne@legis.wisconsin.gov)> wrote:

Scott:

I was just looking over the redraft of the substitute amendment to SB 18. The changes that you sent in yesterday may not work exactly as you intended. You instructed that we were to fund the health insurance premiums and loans from shared revenue. While this will work just fine for law enforcement officers and firefighters who are employed by local governmental units, it will be awkward for law enforcement officers who are state employees. The way the substitute amendment reads is that the shared revenue appropriation will be used to pay for the programs for surviving spouses for state employees, as well as local government employees. Is this your intent?

If you do not want the shared revenue appropriation tapped for state employee benefits, we will need to bring back the appropriation that was used in the "/2" version to fund benefits for surviving spouses of state employees. Please advise.

Rick



State of Wisconsin  
2011 - 2012 LEGISLATURE



LRBs0099/3/4  
MES/RAC/JK:wlj:jf

Today AM

Stang  
RMR

SENATE SUBSTITUTE AMENDMENT,  
TO 2011 SENATE BILL 18

rym cot

1 AN ACT *to repeal* 66.0137 (4m) (a); *to renumber and amend* 66.0137 (1) (ae);  
2 *to amend* 20.835 (1) (db), 66.0137 (3), 66.0137 (5) (c) 1., 66.0137 (5) (c) 2.,  
3 66.0137 (5) (c) 3. (intro.), 79.01 (2d) and 79.043 (6); and *to create* 16.14, 66.0137  
4 (1) (af), 66.0137 (1) (am), 66.0137 (1) (ap), 66.0137 (1) (c), 66.0137 (5) (c) 1m. and  
5 66.0137 (5) (c) 4. of the statutes; **relating to:** requiring the payment of health  
6 insurance premiums, and establishing a loan program, for survivors of a law  
7 enforcement officer or fire fighter who dies, or has died, in the line of duty and  
8 making ~~an~~ appropriation. <sup>(S)</sup>

***Analysis by the Legislative Reference Bureau***

Subject to a number of limitations, current law requires a city, village, or town (municipality) that pays health insurance premiums for its employees who are fire fighters to pay such premiums for the surviving spouse and dependent children of a fire fighter who dies, or has died, in the line of duty. This general current law requirement does not apply to a surviving spouse who remarries or reaches the age of 65, or to a dependent child who reaches the age of 18 and is not a full-time high school student. Current law does require premium payments to be made for a

dependent child who is a full-time or part-time student in an accredited college or university until the close of the calendar year in which the individual reaches the age of 27.

This substitute amendment requires a municipality or county (political subdivision) that pays health insurance premiums for its employees who are law enforcement officers to pay such premiums for the surviving spouse and dependent children of a law enforcement officer who dies, or has died, in the line of duty. In addition, the substitute amendment requires the state to reimburse political subdivisions for premiums paid to cover the surviving spouses and dependents of fallen fire fighters and law enforcement officers that were paid by the political subdivisions and that were not otherwise required to be paid under an employment-related benefit provided to the fire fighter or law enforcement officer. The substitute amendment establishes a process whereby political subdivisions may seek reimbursement of the payment of premiums from the Department of Administration (DOA).

The substitute amendment also requires the state to pay health insurance premiums for the surviving spouse and dependent children of a law enforcement officer who was employed by the state and who dies, or has died, in the line of duty. The state is to pay these health insurance premiums only after any sick leave credits that may be used for the purchase of health insurance have been exhausted.

The substitute amendment further requires DOA to establish a loan program for surviving spouses of law enforcement officers and fire fighters who have died in the line of duty. The loan program must provide for the payment of a loan to a surviving spouse in an amount equal to the salary that would have been paid his or her deceased spouse had he or she not died in the line of duty. The loan must be disbursed to coincide with the pay period that applied to the deceased spouse, must be secured by the proceeds of any life insurance policy that covered the deceased spouse, and come due when a surviving spouse receives the proceeds from the life insurance policy that covered his or her deceased spouse. No loan may be made for any period after the proceeds of a life insurance policy have been disbursed to the surviving spouse. To qualify for a loan, a surviving spouse must apply for the loan on a form prepared by DOA; provide all documentation required by DOA to verify that his or her spouse died in the line of duty; provide all documentation required by DOA to verify the salary of the deceased spouse; and enter into an agreement with DOA that any loan must be secured by the proceeds of a life insurance policy that covered his or her deceased spouse.

Under the substitute amendment, the amounts that DOA disburses for premiums, reimbursements, and loans are paid from the county and municipal aid account (shared revenue), and the total amount of shared revenue payments is decreased by the amounts disbursed by DOA.

The substitute amendment first applies, retroactively, to a law enforcement officer or fire fighter who has died in the line of duty before the effective date of the

*for surviving spouses of law  
enforcement officers and fire  
fighters employed by a political  
subdivision*

substitute amendment, but only with respect to the payment of health insurance premiums that come due on or after the effective date of this substitute amendment.

---

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1           **SECTION 1.** 16.14 of the statutes is created to read:

2           **16.14 Paying health insurance premiums, and establishing a loan**  
3 **program, for dependents of law enforcement officers who die in line of duty.**

4           **(1)** In this section:

5           (a) “Dies in the line of duty” means a death that occurs, or occurred, as a direct  
6 and proximate result of one or more of the following, sustained by a law enforcement  
7 officer while he or she was engaged in a line of duty activity, or that arose out of and  
8 as a result of such an individual’s performance of a line of duty activity:

- 9           1. A personal injury.
- 10           2. The contraction of an infectious disease.
- 11           3. Exposure to hazardous materials or conditions.

12           (b) “Law enforcement officer” means any person employed by the state for the  
13 purpose of detecting and preventing crime and enforcing laws and who is authorized  
14 to make arrests for violations of the laws that the person is employed to enforce.

15           (c) “Line of duty activity” means any employment-related action taken by a law  
16 enforcement officer that is required or authorized by law, rule, regulation, or  
17 condition of employment and for which compensation is provided by his or her  
18 employer or would have been eligible to have been provided by the employer if the  
19 law enforcement officer had been on duty when he or she took the action in question.

20           (d) “Political subdivision” has the meaning given in s. 66.0137 (1) (c).

1           (2) (a) Except as provided in pars. (b) to (d), if a law enforcement officer dies  
2 in the line of duty the department shall pay the premiums for hospital, surgical, and  
3 other health insurance for the surviving spouse and dependent children of the law  
4 enforcement officer. The department shall either reimburse the surviving spouse  
5 and dependent children for the payment of the premiums or shall pay the premiums  
6 directly to the department of employee trust funds for health care coverage under  
7 subch. IV of ch. 40, whichever the department considers appropriate. Premiums  
8 shall be paid from the appropriation under s. ~~20.835 (1) (db)~~ 20.505(1)(cr)

9           (b) The department shall pay the premiums for the surviving spouse only until  
10 the spouse remarries or reaches the age of 65, whichever occurs first.

11           (c) The department shall pay the premiums for a surviving dependent child  
12 only until he or she reaches the age of 18 unless any of the following applies:

13           1. The individual is a full-time student in a secondary school.

14           2. The individual is a full-time or part-time student in an accredited college  
15 or university, except that this subdivision does not apply to such an individual after  
16 the close of the calendar year in which the individual reaches the age of 27.

17           (d) The department shall pay the premiums for the surviving spouse and  
18 dependent children of the law enforcement officer only after the exhaustion of any  
19 credits under ss. 40.05 (4) (b) and 40.95 (1).

20           (3) The department shall reimburse any political subdivision for health  
21 insurance premiums paid by the political subdivision under s. 66.0137 (5) (c) 1. and  
22 1m., provided the political subdivision submits the form and certification under s.  
23 66.0137 (5) (c) 4. The reimbursement shall be paid from the appropriation under s.  
24 20.835 (1) (db).

1 (4) The department shall establish a loan program for surviving spouses of law  
 2 enforcement officers who have died in the line of duty and for surviving spouses  
 3 identified in s. 66.0137 (5) (c) 1. or 1m. The loan program shall provide for the  
 4 payment of a loan to a surviving spouse in an amount equal to the salary that would  
 5 have been paid his or her deceased spouse had he or she not died in the line of duty.  
 6 The loan shall be disbursed to coincide with the pay period that applied to the  
 7 deceased spouse and shall be secured by the proceeds of any life insurance policy that  
 8 covered the deceased spouse. Loans made ~~under this subsection shall be paid from~~  
 9 ~~the appropriation under s. 20.835 (1) (db), and the repayment of loans shall be~~  
 10 credited to the general fund as general purpose revenue-earned. A loan shall come  
 11 due when a surviving spouse receives the proceeds from the life insurance policy that  
 12 covered his or her deceased spouse. No loan shall be made for any period after the  
 13 proceeds of a life insurance policy have been disbursed to the surviving spouse. To  
 14 qualify for a loan under this subsection, a surviving spouse shall do all of the  
 15 following:

- 16 (a) Apply for the loan on a form prepared by the department.
- 17 (b) Provide all documentation required by the department to verify that his or  
 18 her spouse was a law enforcement officer who died in the line of duty or was an  
 19 individual identified in s. 66.0137 (5) (c) 1. or 1m.
- 20 (c) Provide all documentation required by the department to verify the salary  
 21 of the deceased spouse.
- 22 (d) Enter into an agreement with the department that any loan made under  
 23 this subsection shall be secured by the proceeds of a life insurance policy that covered  
 24 his or her deceased spouse.

Insert  
5-9

25

SECTION 2. 20.835 (1) (db) of the statutes is amended to read:

Insert 5-25

for surviving spouses identified in  
s. 66.0137 (5) (c) 1. or 1M

1           20.835 (1) (db) *County and municipal aid account.* A sum sufficient to make  
2 payments to counties, towns, villages, and cities under s. 79.035, less the amount  
3 paid from the appropriations under pars. (m), (q), and (r), and to pay the premiums  
4 and reimbursements and make loans under s. 16.14

5           **SECTION 3.** 66.0137 (1) (ae) of the statutes is renumbered 66.0137 (1) (as) and  
6 amended to read:

7           66.0137 (1) (as) "Local governmental unit" means a ~~municipality, county~~  
8 political subdivision, school district (as enumerated in s. 67.01 (5)), sewerage district,  
9 drainage district, and, without limitation because of enumeration, any other political  
10 subdivision of the state.

11           **SECTION 4.** 66.0137 (1) (af) of the statutes is created to read:

12           66.0137 (1) (af) "Dies in the line of duty" means a death that occurs, or occurred,  
13 as a direct and proximate result of one or more of the following, sustained by a law  
14 enforcement officer or fire fighter while he or she was engaged in a line of duty  
15 activity or that arose out of and as a result of such an individual's performance of a  
16 line of duty activity:

- 17           1. A personal injury.
- 18           2. The contraction of an infectious disease.
- 19           3. Exposure to hazardous materials or conditions.

20           **SECTION 5.** 66.0137 (1) (am) of the statutes is created to read:

21           66.0137 (1) (am) "Law enforcement officer" means any person employed by a  
22 political subdivision for the purpose of detecting and preventing crime and enforcing  
23 laws or ordinances and who is authorized to make arrests for violations of the laws  
24 or ordinances that the person is employed to enforce.

25           **SECTION 6.** 66.0137 (1) (ap) of the statutes is created to read:

1           66.0137 (1) (ap) "Line of duty activity" means any employment-related action  
2 taken by a law enforcement officer or fire fighter that is required or authorized by  
3 law, rule, regulation, or condition of employment and for which compensation is  
4 provided by his or her employing agency or would have been eligible to have been  
5 provided by the employing agency if the law enforcement officer or fire fighter had  
6 been on duty when he or she took the action in question.

7           **SECTION 7.** 66.0137 (1) (c) of the statutes is created to read:

8           66.0137 (1) (c) "Political subdivision" means any municipality or county.

9           **SECTION 8.** 66.0137 (3) of the statutes is amended to read:

10          66.0137 (3) HEALTH INSURANCE FOR UNEMPLOYED PERSONS. Any ~~municipality or~~  
11 ~~county~~ political subdivision may purchase health or dental insurance for  
12 unemployed persons residing in the municipality or county who are not eligible for  
13 medical assistance under s. 49.46, 49.468, 49.47, or 49.471 (4) (a) or (b).

14          **SECTION 9.** 66.0137 (4m) (a) of the statutes is repealed.

15          **SECTION 10.** 66.0137 (5) (c) 1. of the statutes is amended to read:

16          66.0137 (5) (c) 1. Except as provided in subds. 2. and 3., and 4., if a municipality  
17 ~~political subdivision~~ provides for the payment of premiums for hospital, surgical, and  
18 other health insurance for its fire fighters, it shall continue to pay such premiums  
19 for the surviving spouse and dependent children of ~~a~~ the fire fighter who dies in the  
20 line of duty.

21          **SECTION 11.** 66.0137 (5) (c) 1m. of the statutes is created to read:

22          66.0137 (5) (c) 1m. Except as provided in subds. 2., 3., and 4., if a political  
23 subdivision provides for the payment of premiums for hospital, surgical, and other  
24 health insurance for its law enforcement officers, it shall continue to pay such



1 premiums for the surviving spouse and dependent children of the law enforcement  
2 officer who dies while in the line of duty.

3 **SECTION 12.** 66.0137 (5) (c) 2. of the statutes is amended to read:

4 66.0137 (5) (c) 2. A ~~municipality~~ political subdivision may not be required to  
5 pay the premiums described in subd. 1. or 1m. for a surviving spouse upon the  
6 remarriage of the surviving spouse or upon the surviving spouse reaching the age of  
7 65.

8 **SECTION 13.** 66.0137 (5) (c) 3. (intro.) of the statutes is amended to read:

9 66.0137 (5) (c) 3. (intro.) An individual is not a dependent child for the purposes  
10 of subd. 1. or 1m. after the individual reaches the age of 18 unless one of the following  
11 applies:

12 **SECTION 14.** 66.0137 (5) (c) 4. of the statutes is created to read:

13 66.0137 (5) (c) 4. A political subdivision may seek reimbursement from the  
14 department of administration under s. 16.14 (3) for the payment of any premiums  
15 described in subd. 1. or 1m. that were paid by the political subdivision and that were  
16 not otherwise required to be paid under an employment-related benefit provided to  
17 the fire fighter or law enforcement officer if the political subdivision provides the  
18 department of administration with written certification that the individual on whose  
19 behalf the premiums are being paid died in the line of duty. The political subdivision  
20 shall seek reimbursement from the department of administration, using a form  
21 provided by the department of administration that specifies the premium amounts  
22 paid by the political subdivision and the names, ages, and marital status of the  
23 individuals for whom the premiums were paid. The political subdivision shall also  
24 certify that the premiums could not be paid under a different employment-related  
25 benefit that was provided to the fire fighter or law enforcement officer.

1         **SECTION 15.** 79.01 (2d) of the statutes is amended to read:

2           79.01 **(2d)** There is established an account in the general fund entitled the  
3 "County and Municipal Aid Account." Beginning with the distributions in 2011, the  
4 total amount to be distributed each year to counties and municipalities from the  
5 county and municipal aid account is \$824,825,715, less the amounts paid under s.  
6 16.14.

7         **SECTION 16.** 79.043 (6) of the statutes is amended to read:

8           79.043 **(6)** For the distribution in 2011 and subsequent years, each county and  
9 municipality shall receive a payment under this section and s. 79.035 that is equal  
10 to the amount of the payment determined for the county or municipality under s.  
11 79.02 (4) in 2010, except that each payment to a county or municipality shall be  
12 reduced, in proportion to the county's or municipality's share of total payments under  
13 this section and s. 79.035, to reflect the reduction in the county and municipal aid  
14 account as a result of payments made under s. 16.14.

15         **SECTION 17. Initial applicability.**

16           (1) This act first applies, retroactively, to a law enforcement officer or fire  
17 fighter who has died in the line of duty before the effective date of this subsection,  
18 but only with respect to the payment of health insurance premiums that come due  
19 on or after the effective date of this subsection.

20                                                 (END)

for surviving spouses  
identified in s. 66.0137(5)  
(c) 1. or 1m

5-9

(Not)

for surviving spouses of law enforcement officers shall be paid from the appropriation under s. 20.505(1)(c)<sup>3</sup> and loans made for surviving spouses of law enforcement officers who have identified in s. 66.0137(5)(c) 1. or 14. shall be paid from the appropriation under s. 20.835(1)(d b).

The

1 deceased spouse and shall be secured by the proceeds of any life insurance policy that  
 2 covered the deceased spouse. Loans made under this subsection shall be paid from  
 3 the appropriation under s. 20.505 (1) (cr), and the repayment of loans shall be  
 4 credited to the general fund as general purpose revenue-earned. A loan shall come  
 5 due when a surviving spouse receives the proceeds from the life insurance policy that  
 6 covered his or her deceased spouse. No loan shall be made for any period after the  
 7 proceeds of a life insurance policy have been disbursed to the surviving spouse. To  
 8 qualify for a loan under this subsection, a surviving spouse shall do all of the  
 9 following:

10 (a) Apply for the loan on a form prepared by the department.

11 (b) Provide all documentation required by the department to verify that his or  
 12 her spouse was a law enforcement officer who died in the line of duty or was an  
 13 individual identified in s. 66.0137 (5) (c) 1. or 1m.

14 (c) Provide all documentation required by the department to verify the salary  
 15 of the deceased spouse.

16 (d) Enter into an agreement with the department that any loan made under  
 17 this subsection shall be secured by the proceeds of a life insurance policy that covered  
 18 his or her deceased spouse.

19 SECTION ~~20~~ 20.505 (1) (cr) of the statutes is created to read:

5-25  
 20 20.505 (1) (cr) *Payment of health insurance premiums and loans for dependents*  
 21 *firefighters and* law enforcement officers who die in line of duty. A sum sufficient  
 22 to pay the premiums and reimbursements and make loans under s. 16.14.

23 SECTION 3. 66.0137 (1) (ae) of the statutes is renumbered 66.0137 (1) (as) and  
 24 amended to read:

*for surviving spouses of  
 law enforcement  
 officers*