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Senate Bill 834 (as enacted)  
Sponsor: Senator Kevin Hertel  
Senate Committee: Veterans and Emergency Services  
House Committee: Appropriations (discharged)

**PUBLIC ACT 128 of 2024**

Date Completed: 10-23-24

**RATIONALE**

When a public safety officer dies, the family of the officer suffers. To help ease this burden, Public Act 46 of 2004 created a one-time benefit of \$25,000 to the spouse or dependents of a deceased or permanently and totally disabled public safety officer. The Act passed 20 years ago and the benefit has never been increased, which means that today's payments are worth less due to inflation. The State has the money to double the benefit that families receive and so that was suggested in an effort to better care for these families after their loss.

**CONTENT**

**The bill amended the Public Safety Officers Benefit Act to increase, from \$25,000 to \$50,000, the benefit paid for a public safety officer who dies or is permanently and totally disabled in the line of duty.**

The bill took effect on October 3, 2024.

Generally, the Act requires the State to pay the one-time benefit to certain individuals if a public safety officer dies or is permanently and totally disabled as the direct and proximate result of a personal injury sustained in the line of duty. Under the Act, "public safety officer" generally means any law enforcement officer, firefighter, or member of a rescue squad or ambulance crew who serves a public agency or entity created by a local government in the State. The previous benefit was \$25,000.

Under the bill, for all claims paid on or after October 1, 2024, if the public safety officer dies, the State must pay the \$50,000 one-time benefit to one of the following:

- The deceased public safety officer's surviving spouse.
- If the deceased public safety officer does not have a surviving spouse, the deceased public safety officer's dependents.
- If the deceased public safety officer does not have a surviving spouse or any surviving dependents, the deceased public safety officer's estate.

Additionally, for all claims paid on or after October 1, 2024, if the officer is permanently or totally disabled, the State must pay the benefit to the officer's spouse; if there is no spouse, the officer's dependents; or if there are no dependents, the entity providing care to the officer.

**ARGUMENTS**

*(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)*

## **Supporting Argument**

Doubling the State benefit will ease the period of financial instability many beneficiaries experience between the death or disability of the officer and the distribution of the Federal benefit. When a public safety officer dies or is permanently and totally disabled, the officer's beneficiary was formerly entitled to a \$25,000 benefit from the State and is currently entitled to a \$437,503 benefit from the Federal government.<sup>1</sup> Reportedly, beneficiaries often spent the \$25,000 State benefit quickly on cost-of-living expenses, medical expenses paid after the officer's total and permanent disability, or funeral expenses paid after the officer's death. The Federal benefit depends on the completion of a thorough vetting process that can last months before the benefit is distributed to the beneficiary. Doubling the State benefit will help with beneficiaries' financial instability before the Federal benefit is distributed.

Legislative Analyst: Alex Krabill

## **FISCAL IMPACT**

The bill will result in additional General Fund/General Purpose (GF/GP) costs to the State in an amount that would depend upon the number of awards issued annually under the State's disabled/death benefit for public safety officers benefit program (PSOB). It will raise the current benefit amount from \$25,000 to \$50,000 and require these additional amounts to be paid to authorized recipients from the program administered under the Michigan Commission on Law Enforcement Standards (MCOLES). The number of benefit awards given varies from year to year and thus will affect the amount of funding required. In recent fiscal years, these awards have included 11 in Fiscal Year (FY) 2017-18, six in FY 2018-19, 15 in FY 2019-20, 11 in FY 2020-21, 13 in FY 2021-22, and 7 in FY 2022-23. For FY 2023-24, benefits have been awarded in six cases to date with an additional five cases under review for potential payment. These include a claim for a firefighter and for law enforcement officers who were killed in the line of duty over the summer, with dates of death being June 22, June 27, July 21, and September 13, respectively.

The appropriation for the PSOB program for FY 2023-24 is \$303,000 GF/GP. Appropriations are placed in the PSOB Fund which pays for the awards, with any unspent funds from a given year required to remain in the Fund for future use. The current PSOB Fund balance is \$880,457, with a projected balance of approximately \$1.2 million on October 1, 2024, which will include the FY 2024-25 appropriated amount of \$303,000 GF/GP. The Michigan Commission on Law Enforcement Standards uses approximately \$20,000 from the Fund annually to support its cost of administering the Fund, including to investigate and vet claims for the awards.

The Michigan Commission on Law Enforcement Standards estimates that the increase in the amount of individual awards under the bill will be covered by existing PSOB funds and current appropriations without an increase in line item appropriations required for FY 2024-25. Barring a catastrophic series of events that affected public safety officers in the State, it is estimated that the existing appropriations and Fund balance will likely be sufficient to cover the additional costs of the bill.

Fiscal Analyst: Bruce R. Baker

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<sup>1</sup> United States Department of Justice, Bureau of Justice Assistance, "*Public Safety Officers' Benefits Program - Benefits by Year*", 2024.

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.