HOUSE BILL 277

56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023

INTRODUCED BY

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AN ACT

RELATING TO FIRST RESPONDERS; INCREASING SUPPLEMENTAL DEATH
BENEFITS TO THE SURVIVING SPOUSE OR CHILDREN OF FIREFIGHTERS
KILLED IN THE LINE OF DUTY FROM TWO HUNDRED FIFTY THOUSAND
DOLLARS ($250,000) TO ONE MILLION DOLLARS ($1,000,000); MAKING
APPLICATION OF SUPPLEMENTAL DEATH BENEFITS FOR SURVIVORS OF
FIREFIGHTERS, NEW MEXICO MOUNTED PATROL MEMBERS OR RESERVE
POLICE OFFICERS APPLICABLE TO THE DEATHS OF THOSE FIRST
RESPONDERS IN THE LINE OF DUTY ON OR AFTER JANUARY 1, 2022;
AMENDING SECTIONS OF THE NMSA 1978.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 10-11B-5 NMSA 1978 (being Laws 2007,
Chapter 149, Section 5, as amended) is amended to read:

"10-11B-5. FIREFIGHTERS' SURVIVORS SUPPLEMENTAL
BENEFITS--REVIEW COMMITTEE--DETERMINATION--PAYMENT.--

.223548.1

1   A.   There is created the "firefighters' survivors

2   supplemental death benefits review committee". The committee

3   shall consist of the attorney general or the attorney general's

4   designee and the fire services council.

5   B.   The firefighters' survivors supplemental death

6   benefits review committee shall determine whether a firefighter

7   has been killed in the line of duty <u>for a death occurring on or</u>

8   <u>after January 1, 2022</u> and advise the state fire marshal of that

9   determination. In addition to any other death benefits

10   provided by law, the surviving spouse or children shall be paid

11   [two hundred fifty thousand dollars ($250,000)] <u>one million</u>

12   <u>dollars ($1,000,000)</u> as supplemental death benefits whenever a

13   firefighter is killed in the line of duty. The benefits shall

14   be paid from the fund.

15   C.   The benefits shall be paid entirely to the

16   surviving spouse. If there is no surviving spouse, the

17   benefits shall be distributed in pro rata shares to all

18   surviving children. If there are no surviving children or

19   spouse, benefits shall be distributed to the surviving parents

20   of the firefighter."

21   **SECTION 2.** Section 29-4A-5 NMSA 1978 (being Laws 1995,

22   Chapter 59, Section 5, as amended) is amended to read:

23   "29-4A-5.   PEACE OFFICERS', NEW MEXICO MOUNTED PATROL

24   MEMBERS' AND RESERVE POLICE OFFICERS' SURVIVORS SUPPLEMENTAL

25   DEATH BENEFITS--REVIEW COMMITTEE--DETERMINATION--PAYMENT.--

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1   A.   There is created the "peace officers', New

2   Mexico mounted patrol members' and reserve police officers'

3   survivors supplemental death benefits review committee". The

4   committee shall consist of the attorney general, the chief of

5   the New Mexico state police and the state president of the

6   fraternal order of police or their designees.

7   B.   The peace officers', New Mexico mounted patrol

8   members' and reserve police officers' survivors supplemental

9   death benefits review committee shall determine whether a peace

10   officer, New Mexico mounted patrol member or reserve police

11   officer has been killed in the line of duty for a death

12   occurring on or after January 1, 2022 and advise the secretary

13   of that determination. In addition to any other death benefits

14   provided by law, the surviving spouse, children or parents

15   shall be paid one million dollars ($1,000,000) as supplemental

16   death benefits whenever a peace officer, New Mexico mounted

17   patrol member or reserve police officer is killed in the line

18   of duty. The benefits shall be paid from the fund.

19   C.   The benefits shall be paid first to the

20   surviving spouse. If there is no surviving spouse, the

21   benefits shall be distributed in pro rata shares to all

22   surviving children. If there are no surviving children or

23   spouse, benefits shall be distributed to the surviving parents

24   of the peace officer, New Mexico mounted patrol member or

25   reserve police officer."

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