

House Engrossed

FILED

**KEN BENNETT
SECRETARY OF STATE**

State of Arizona
House of Representatives
Fifty-first Legislature
First Regular Session
2013

CHAPTER 54

HOUSE BILL 2204

AN ACT

AMENDING SECTION 38-1103, ARIZONA REVISED STATUTES; RELATING TO LAW ENFORCEMENT OFFICERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 38-1103, Arizona Revised Statutes, is amended to
3 read:

4 38-1103. Health insurance payments for spouse or dependents of
5 law enforcement officer killed in the line of duty;
6 definition

7 A. Notwithstanding any other law, the surviving spouse OR A SURVIVING
8 DEPENDENT of a deceased law enforcement officer is entitled to receive
9 payments for health insurance premiums from public monies of the employer of
10 the law enforcement officer ~~for the first year after the death of the law~~
11 ~~enforcement officer if:~~

12 1. ~~IF the law enforcement officer was killed in the line of duty or~~
13 ~~died from injuries suffered in the line of duty.~~

14 2. ~~The law enforcement officer was enrolled in the employer's health~~
15 ~~insurance plan at the time of death.~~

16 3. ~~The surviving spouse is entitled to continue to participate in the~~
17 ~~employer's health insurance plan.~~

18 ~~B. This section applies to the dependents of the deceased law~~
19 ~~enforcement officer if the dependents were enrolled in the employer's health~~
20 ~~insurance plan at the time of the law enforcement officer's death.~~

21 ~~C. Payments shall be reduced for monies paid for health insurance~~
22 ~~premiums for the surviving spouse or dependents of the surviving spouse from~~
23 ~~the retirement plan from which the surviving spouse is receiving benefits.~~

24 B. THE EMPLOYER SHALL MAKE PAYMENTS IF THE SURVIVING SPOUSE OR
25 SURVIVING DEPENDENT IS ENROLLED IN EITHER:

26 1. THE HEALTH INSURANCE PROGRAM OF THE EMPLOYER.

27 2. THE HEALTH INSURANCE PROGRAM THAT IS OFFERED BY THE STATE
28 RETIREMENT SYSTEM OR PLAN FROM WHICH THE SURVIVING SPOUSE OR SURVIVING
29 DEPENDENT IS RECEIVING BENEFITS.

30 C. THE HEALTH INSURANCE PREMIUM AMOUNT PAYABLE BY THE EMPLOYER OF THE
31 DECEASED LAW ENFORCEMENT OFFICER IS THE AMOUNT THE EMPLOYER OF THE DECEASED
32 LAW ENFORCEMENT OFFICER WOULD PAY FOR AN ACTIVE LAW ENFORCEMENT OFFICER FOR A
33 FAMILY COVERAGE PREMIUM OR SINGLE COVERAGE PREMIUM, WHICHEVER IS APPLICABLE.
34 PAYMENTS SHALL BE DISCONTINUED PURSUANT TO THIS SECTION IF:

35 1. THE SURVIVING SPOUSE REMARRIES.

36 2. THE SURVIVING SPOUSE BECOMES MEDICARE ELIGIBLE.

37 3. THE SURVIVING SPOUSE DIES.

38 4. FOR DEPENDENT COVERAGE, THE PERSON IS NO LONGER CONSIDERED A
39 DEPENDENT.

40 D. IF THE EMPLOYER CURRENTLY PAYS A GREATER PORTION OF THE HEALTH
41 INSURANCE PREMIUM FOR A SURVIVING SPOUSE OR A SURVIVING DEPENDENT THAN THE
42 REQUIRED AMOUNT PRESCRIBED IN SUBSECTION C OF THIS SECTION, THE SURVIVING
43 SPOUSE OR SURVIVING DEPENDENT SHALL RECEIVE THE GREATER AMOUNT AS PAYMENT
44 TOWARD THE SURVIVING SPOUSE'S OR SURVIVING DEPENDENT'S HEALTH INSURANCE
45 PREMIUM.

1 ~~D.~~ E. For the purposes of this section: —

2 1. "DEPENDENT" MEANS AN UNMARRIED CHILD OF A DECEASED LAW ENFORCEMENT
3 OFFICER WHO MEETS ONE OF THE FOLLOWING QUALIFICATIONS:

4 (a) IS UNDER EIGHTEEN YEARS OF AGE.

5 (b) IS AT LEAST EIGHTEEN YEARS OF AGE AND UNDER TWENTY-THREE YEARS OF
6 AGE ONLY DURING ANY PERIOD THAT THE CHILD IS A FULL-TIME STUDENT.

7 (c) IS UNDER A DISABILITY THAT BEGAN BEFORE THE CHILD ATTAINED
8 TWENTY-THREE YEARS OF AGE AND REMAINS A DEPENDENT OF THE SURVIVING SPOUSE OR
9 GUARDIAN.

10 2. "Law enforcement officer" means:

11 ~~1.~~ (a) A peace officer who is certified by the Arizona peace officers
12 OFFICER standards and training board.

13 ~~2.~~ (b) A detention officer or corrections officer who is employed by
14 this state or a political subdivision of this state.

15 ~~3.~~ (c) A probation officer or surveillance officer who is employed by
16 this state or a political subdivision of this state.

17 (d) A FIREFIGHTER WHO IS EMPLOYED BY THIS STATE OR A POLITICAL
18 SUBDIVISION OF THIS STATE.

19 (e) A CORRECTIONS OFFICER OR FIREFIGHTER WHO WORKS ON BEHALF OF THIS
20 STATE OR A POLITICAL SUBDIVISION OF THIS STATE THROUGH A CONTRACT WITH A
21 PRIVATE COMPANY.

22 Sec. 2. Emergency

23 This act is an emergency measure that is necessary to preserve the
24 public peace, health or safety and is operative immediately as provided by
25 law.

APPROVED BY THE GOVERNOR APRIL 5, 2013.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 5, 2013.

Passed the House February 12, 2013

Passed the Senate April 1, 2013

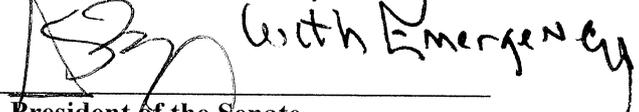
by the following vote: 54 Ayes,

by the following vote: 25 Ayes,

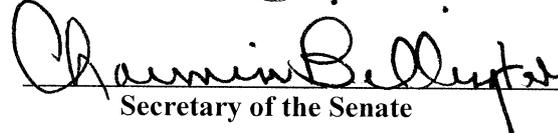
5 Nays, 1 Not Voting
with Emergency

0 Nays, 5 Not Voting
with Emergency


Speaker of the House


President of the Senate


Cheryl Laube
Chief Clerk of the House

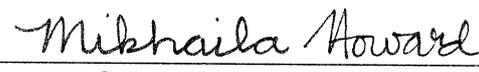

Doreen Bellinger
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

2 day of April, 2013

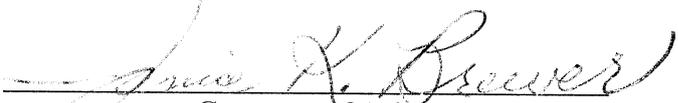
at 2:35 o'clock P M.


Mikhaela Howard
Secretary to the Governor

Approved this 5th day of

April

at 7:12 o'clock P M.


Janice K. Brewer
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 5th day of April, 2012

at 5:00 o'clock P M.


Ken Blumenthal
Secretary of State