

By Commissioner Kruppenbacher

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1                   A proposal to create  
2           a new section in Article X of the State Constitution  
3           to establish rights to certain death benefits to the  
4           survivors of specified first responders, military  
5           members, and public school employees.  
6

7 Be It Proposed by the Constitution Revision Commission of  
8 Florida:  
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10           A new section is added to Article X of the State  
11 Constitution to read:

12                                   ARTICLE X  
13                                   MISCELLANEOUS

14           Death benefits for survivors of first responders, military  
15 members, and public school employees.-

16           (a) A death benefit shall be paid by funds from general  
17 revenue when a firefighter; a paramedic; an emergency medical  
18 technician; a law enforcement, correctional, or correctional  
19 probation officer; an active duty member of the United States  
20 Armed Forces or the Florida National Guard; or a public school  
21 employee, while engaged in the performance of their official  
22 duties, is:

23           (1) Accidentally killed or receives accidental bodily  
24 injury which results in the loss of the individual's life,  
25 provided that such killing is not the result of suicide and that  
26 such bodily injury is not intentionally self-inflicted; or

27           (2) Unlawfully and intentionally killed or dies as a result  
28 of such unlawful and intentional act.

29           (b) In order to be eligible for payments authorized under  
30 subsection (a):

31           (1) The first responder or public school employee must have  
32 been working for the State of Florida or any of its political

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33 subdivisions at the time of death.

34 (2) The military member must have been a resident of this  
35 state or whose duty post was within the State of Florida at the  
36 time of death.

37 (c) Payments authorized under subsection (a), regardless of  
38 whether secured by insurance, shall be made to the beneficiary  
39 that is designated by such first responder, military member, or  
40 public school employee through a written designation signed by  
41 the first responder, military member, or public school employee  
42 and delivered to the employing agency during the first  
43 responder's, military member's, or employee's lifetime. If no  
44 such designation is made, the payment shall be made to the first  
45 responder's, military member's, or employee's surviving child or  
46 children and spouse in equal portions, and if there is no  
47 surviving child or spouse, then to the first responder's,  
48 military member's, or employee's parent or parents. If a  
49 beneficiary is not designated and there is no surviving child,  
50 spouse, or parent, the payment shall be made to the first  
51 responder's, military member's, or employee's estate.

52 (d) Payments that are made pursuant to subsections (a)  
53 through (c) are in addition to any workers' compensation or  
54 pension benefits and are exempt from the claims and demands of  
55 creditors of the first responder, military member, or public  
56 school employee.

57 (e) If a firefighter; a paramedic; an emergency medical  
58 technician; a law enforcement, correctional, or correctional  
59 probation officer; an active duty member of the United States  
60 Armed Forces or the Florida National Guard; or a public school  
61 employee is accidentally killed as specified in paragraph

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62 (a) (1), or unlawfully and intentionally killed as specified in  
63 paragraph (a) (2), the state shall waive certain educational  
64 expenses that the child or spouse of the deceased first  
65 responder, military member, or public school employee incurs  
66 while obtaining a career certificate, an undergraduate  
67 education, or a postgraduate education. The amount waived by the  
68 state shall be an amount equal to the cost of tuition and  
69 matriculation and registration fees for a total of 120 credit  
70 hours. The child or spouse may attend a state career center, a  
71 Florida College System institution, or a state university. The  
72 child or spouse may attend any or all of the institutions  
73 specified in this subsection, on either a full-time or part-time  
74 basis. The benefits provided to a child under this subsection  
75 continue until the child's 25th birthday. The benefits provided  
76 to a spouse under this subsection must commence within 5 years  
77 after the death occurs, and entitlement thereto shall continue  
78 until the tenth anniversary of that death.

79 (f) This section does not limit the legislature from  
80 enacting laws consistent with this section.

81 (g) This amendment becomes effective upon approval by the  
82 electors.