

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2005**

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**SENATE BILL 148**

Short Title: Death Benefit for Part-Time Law Enforcement. (Public)

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Sponsors: Senators Berger of Franklin; Apodaca, Atwater, Boseman, Brown, Cowell, Graham, Holloman, Kerr, Snow, Swindell, and Thomas.

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Referred to: Pensions & Retirement and Aging.

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February 16, 2005

A BILL TO BE ENTITLED

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2 AN ACT TO EXTEND THE LAW ENFORCEMENT OFFICERS', FIREMEN'S,  
3 RESCUE SQUAD WORKERS' AND CIVIL AIR PATROL MEMBERS' DEATH  
4 BENEFIT TO PERMANENT PART-TIME AND TEMPORARY LAW  
5 ENFORCEMENT OFFICERS AND DETENTION OFFICERS.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 143-166.2(d) reads as rewritten:

8 "(d) The term "law-enforcement officer", "officer", or "fireman" shall mean all  
9 law-enforcement officers employed ~~full-time~~ full-time, permanent part-time, or  
10 temporarily by the State of North Carolina or any county or municipality ~~thereof~~  
11 thereof, whether paid or unpaid; and all full-time custodial employees and probation and  
12 parole officers of the North Carolina Department of ~~Correction~~ Correction; and all full  
13 time institutional and full-time, permanent part-time, and temporary detention  
14 employees of the Department of Juvenile Justice and Delinquency ~~Prevention~~.  
15 Prevention and full-time, permanent part-time, and temporary detention officers  
16 employed by any county or municipality, whether paid or unpaid. The term "firemen"  
17 shall mean both "eligible fireman"; or "fireman" as defined in G.S. 58-86-25 and all  
18 full-time, permanent part-time and temporary employees of the North Carolina Division  
19 of Forest Resources, Department of Environment and Natural Resources, during the  
20 time they are actively engaged in fire-fighting activities; and shall mean all full-time  
21 employees of the North Carolina Department of Insurance during the time they are  
22 actively engaged in fire-fighting activities, during the time they are training fire fighters  
23 or rescue squad workers, and during the time they are engaged in activities as members  
24 of the State Emergency Response Team, when the Team has been activated. The term  
25 "rescue squad worker" shall mean a person who is dedicated to the purpose of  
26 alleviating human suffering and assisting anyone who is in difficulty or who is injured  
27 or becomes suddenly ill by providing the proper and efficient care or emergency  
28 medical services. In addition, this person must belong to an organized rescue squad

1 which is eligible for membership in the North Carolina Association of Rescue Squads,  
2 Inc., and the person must have attended a minimum of 36 hours of training and  
3 meetings in the last calendar year. Each rescue squad belonging to the North Carolina  
4 Association of Rescue Squads, Inc., must file a roster of those members meeting the  
5 above requirements with the State Treasurer on or about January 1 of each year, and this  
6 roster must be certified to by the secretary of said association. In addition, the term  
7 "rescue squad worker" shall mean a member of an ambulance service certified by the  
8 Department of Health and Human Services pursuant to Article 7 of Chapter 131E of the  
9 General Statutes. The Department of Health and Human Services shall furnish a list of  
10 ambulance service members to the State Treasurer on or about January 1 of each year.  
11 The term "Civil Air Patrol members" shall mean those senior members of the North  
12 Carolina Wing-Civil Air Patrol 18 years of age or older and currently certified pursuant  
13 to G.S. 143B-491(a). The term "fireman" shall also mean county fire marshals when  
14 engaged in the performance of their county duties. The term "rescue squad worker"  
15 shall also mean county emergency services coordinators when engaged in the  
16 performance of their county duties."

17         **SECTION 2.** This act becomes effective July 1, 2005, and applies to all  
18 deaths occurring on or after that date.