

- SUBJECT:** Death benefits to Department of Public Safety support staff
- COMMITTEE:** Homeland Security and Public Safety — favorable, without amendment
- VOTE:** 9 ayes — Pickett, Fletcher, Cortez, Dale, Flynn, Kleinschmidt, Lavender, Sheets, Simmons
- 0 nays
- SENATE VOTE:** On final passage, March 27 — 30-0
- WITNESSES:** *(On House companion, HB 364)*  
For — Gary Chandler, DPSOA; *(Registered, but did not testify:* Lon Craft, TMPA; Deborah Ingersoll, Texas State Troopers Association; Clay Taylor, DPSOA)
- Against — None
- On — *(Registered, but did not testify:* Robin Hardaway, ERS; Skylor Hearn, Texas Department of Public Safety)
- BACKGROUND:** Government Code, ch. 615 governs financial assistance to the survivors of certain state employees who died as a result of personal injuries sustained in the line of duty.
- DIGEST:** SB 396 would add the survivors of certain Department of Public Safety (DPS) employees who died due to injuries sustained in the line of duty to the list of survivors that could receive payment assistance. The benefit would extend to the eligible survivor of a DPS employee who:
- was deployed in the field in direct support of a law enforcement operation, including patrol, investigation, search and rescue, crime scene, on-site communications, or special operations; and
  - received a special assignment in support of operations relating to organized crime, criminal interdiction, border security, counterterrorism, intelligence, traffic enforcement, emergency management, regulatory services, or special investigations.

The bill would take effect September 1, 2013, and would apply to eligibility, payment, and benefits related to a death that occurred on or after that date.

**SUPPORTERS  
SAY:**

SB 396 would extend the state's public safety death benefit to non-commissioned employees who had been deployed in the field in direct support of a law enforcement operation. Under current law, survivors of eligible DPS officers who die as a result of an injury sustained in the line of duty receive a one-time \$250,000 benefit. Employees working in this support function become an extension of law enforcement and should receive the same death benefits as their commissioned counterparts operating in a similar capacity. While the odds of death are low for employees who perform these functions — with only one in the past 75 years of DPS history who would have qualified under the proposed language — the risk exists, and the surviving dependents of such employees should be eligible for financial assistance should the worst happen.

**OPPONENTS  
SAY:**

SB 396 would accelerate a trend that has resulted in the inclusion of ever more beneficiaries to the state payroll. The state should be careful about expanding expensive benefits to employees, especially when the private alternative of life insurance is available.

**NOTES:**

The House companion bill, HB 364 by Martinez, was left pending in the Homeland Security and Public Safety Committee after being considered in a public hearing on April 3.