

# WEST VIRGINIA LEGISLATURE

## 2020 REGULAR SESSION

Introduced

### Senate Bill 57

FISCAL  
NOTE

BY SENATORS UNGER, ROMANO, AND FACEMIRE

[Introduced January 8, 2020; referred  
to the Committee on Government Organization; and then  
to the Committee on Finance]

1 A BILL to amend and reenact §5H-1-1 of the Code of West Virginia, 1931, as amended, relating  
 2 to defining terms to assure that correctional officers are considered law-enforcement  
 3 officers for the purpose of the West Virginia Fire, EMS, and Law-Enforcement Survivor  
 4 Benefit Act.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 1. WEST VIRGINIA FIRE, ~~AND~~ EMS, AND LAW-ENFORCEMENT OFFICER  
 SURVIVOR BENEFIT ACT.**

**§5H-1-1. Title; ~~and~~ legislative intent; definitions.**

1 (a) This article is known as the “West Virginia Emergency Responders Survivor Benefit  
 2 Act.

3 (b) It is the intent of the Legislature to provide for the payment of survivor benefits to the  
 4 surviving spouse, designated beneficiary, children, or parents of firefighters, EMS personnel, law-  
 5 enforcement agency personnel, and Division of Forestry personnel killed in the performance of  
 6 their emergency response duties, as detailed in this article.

7 (c) For the purposes of this article, the terms “law-enforcement personnel,” “law-  
 8 enforcement officer,” and “law-enforcement provider” incorporate the definition of “law-  
 9 enforcement officer” contained in §30-29-1 of this code and, notwithstanding §15A-3-10 of this  
 10 code, include all correctional officers employed by the Division of Corrections and Rehabilitation.

NOTE: The purpose of this bill is to assure that correctional officers are deemed law-enforcement officers for the purpose of the West Virginia Fire, EMS and Law-Enforcement Officer Survivor Benefit Act.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.