



General Assembly

January Session, 2021

Substitute Bill No. 965



AN ACT CONCERNING ELIGIBILITY FOR A CERTAIN MUNICIPAL DISABILITY BENEFIT.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 7-460d of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2021*):

3 (a) Notwithstanding any provision of the general statutes or of any
4 charter or special act, a municipality may, by two-thirds vote of its
5 legislative body or, in a municipality where the legislative body is a
6 town meeting, by two-thirds vote of the board of selectmen, provide for
7 [compensation] payment by such municipality, in accordance with
8 [subsection (b)] the provisions of this section, [by such municipality] of
9 a disability benefit to a retired public safety employee [(1) with a
10 permanent and severe disability caused by a serious bodily injury which
11 (A) arose out of and in the course of his or her employment as a public
12 safety employee, and (B) was suffered in the line of duty and within the
13 scope of his or her employment as a public safety employee, (2) who
14 retired from service as a public safety employee as a result of such
15 disability, and (3)] who (1) while a public safety employee, became
16 permanently disabled as a result of an injury received while in the
17 performance of his or her duty as a public safety employee, (2) became
18 and remains totally disabled for any suitable and comparable job as a
19 public safety employee as a result of such disability and has accordingly

20 retired from service as a public safety employee, (3) is under the age of
21 sixty-five, and (4) is determined to be eligible pursuant to subsection (b)
22 of this section. As used in this section, "public safety employee" means
23 a [retired] uniformed member of such municipality's paid fire
24 department or a [retired] regular member of such municipality's paid
25 police department.

26 (b) (1) A retired public safety employee seeking the disability benefit
27 described in this section shall apply for and receive an initial, and each
28 subsequent, determination of eligibility for such disability benefit in the
29 same manner as provided for determinations of eligibility under section
30 7-432 for disability retirement and for a disability retirement allowance.

31 (2) In the case of a municipality that has accepted the provisions of
32 part II of chapter 113, any eligibility determination for the disability
33 benefit described in this section may be made together with any
34 eligibility determination for disability retirement and for a disability
35 retirement allowance under section 7-432.

36 (3) Each determination of eligibility for the disability benefit
37 described in this section shall be reported to the chief executive officer,
38 legislative body and treasurer of the applicable municipality.

39 [(b)] (c) [The compensation paid to any public safety employee
40 described in subsection (a) of this section shall be in an amount equal to]
41 Upon a report under subdivision (3) of subsection (b) of this section that
42 a retired public safety employee is eligible to receive the disability
43 benefit described in this section, the treasurer of the applicable
44 municipality shall calculate the amount of such disability benefit as the
45 difference between (1) the total [payment] annualized amount of
46 benefits received by such retired public safety employee under [the
47 provisions of chapter 568 and any other benefits] state or federal law,
48 and (2) the regular rate, as defined in section 31-76b, of pay of such
49 retired public safety employee at the time of his or her retirement [.
50 Upon approval by the legislative body or board of selectmen, as
51 applicable, in accordance with subsection (a) of this section, such

52 compensation] as a result of permanent and total disability, provided
53 such retired public safety employee shall provide the treasurer with any
54 financial documentation the treasurer deems necessary to make such
55 calculation.

56 (d) The disability benefit described in this section shall be paid
57 annually, in monthly installments, to such retired public safety
58 employee and shall continue while such retired public safety employee
59 remains permanently and totally disabled, as described in subdivisions
60 (1) and (2) of subsection (a) of this section and as determined in
61 accordance with the provisions of subsection (b) of this section, until
62 such retired public safety employee attains the age of sixty-five.

63 [(c) A municipality providing for compensation in accordance with
64 this section shall establish procedures for the evaluation of any retired
65 public safety employee considered for such compensation to determine
66 such person's eligibility.]

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2021	7-460d

Statement of Legislative Commissioners:
In Subsec. (b)(2), "chapter 133" was changed to "chapter 113" for accuracy.

PD Joint Favorable Subst. -LCO