

**COMMONWEALTH OF KENTUCKY STATE FISCAL NOTE STATEMENT
LEGISLATIVE RESEARCH COMMISSION
2016 REGULAR SESSION**

MEASURE

2016 BR NUMBER 1977

SENATE BILL NUMBER 195

RESOLUTION NUMBER _____

AMENDMENT NUMBER _____

SUBJECT/TITLE An ACT relating to firefighters and declaring an emergency.

SPONSOR Senator McDaniel

NOTE SUMMARY

FISCAL ANALYSIS: IMPACT NO IMPACT INDETERMINABLE IMPACT

LEVEL(S) OF IMPACT: STATE LOCAL FEDERAL

BUDGET UNIT(S) IMPACT: Kentucky Community and Technical College System, Fire Commission

FUND(S) IMPACT: GENERAL ROAD FEDERAL RESTRICTED AGENCY _____ OTHER

FISCAL SUMMARY

FISCAL ESTIMATES	2015-2016	2016-2017	2017-2018	ANNUAL IMPACT AT FULL IMPLEMENTATION
REVENUES				
EXPENDITURES		Indeterminable	Indeterminable	Indeterminable
NET EFFECT		(Indeterminable)	(Indeterminable)	(Indeterminable)

() indicates a decrease/negative

MEASURE'S PURPOSE: SB195 amends KRS 61.315 to read that if a firefighter dies as a result of cancer, his/her death shall be deemed to be a direct result of an act in the line of duty if certain criteria are met. The measure establishes certain types of cancer as occupational diseases for firefighters and a presumption for the awarding of death benefits if certain conditions are met.

PROVISIONS/MECHANICS: This measure extends death in the line of duty to include death through contraction of cancer as a result of being exposed to a known carcinogen while in the course of firefighting. This would only apply if a firefighter is exposed to a known carcinogen, develops one or more of the cancers listed in the measure, which cause the firefighter's death, and he/she must have been a firefighter for at least five (5) consecutive years; did not use tobacco products for a period of ten (10) years prior to the diagnosis of cancer; was under the age of sixty-five at the time of death; was not diagnosed with any cancer prior to employment as a firefighter. The carcinogen must be one as defined by the International Agency for Research on Cancer or the National Toxicology Program, and reasonably associated with one or more of the following cancers: bladder cancer, brain cancer, colon cancer, non-Hodgkin's lymphoma, kidney cancer, liver cancer, lymphatic or hematopoietic cancer, prostate cancer, testicular cancer, skin cancer, cervical cancer, and breast cancer.

“Firefighter” means every paid firefighter or volunteer firefighter who is employed by or volunteers his or her services to the state, airport board created pursuant to KRS Chapter 183, any county, city, fire district, or any other organized fire department recognized, pursuant to KRS 95A.262, as a fire department operated and maintained on a non-profit basis in the interest of the health and safety of the inhabitants of the Commonwealth and shall include qualified civilian firefighters employed at Kentucky-based military installations.

The Commission on Fire Protection Personnel Standards and Education shall be authorized to promulgate administrative regulations establishing criteria and procedures applicable to the administration of this section as it pertains to both paid and volunteer firefighters, but not limited to defining when a firefighter has died in the line of duty.

FISCAL EXPLANATION: If a firefighter dies in the line of duty, his/her spouse and/or children receive an \$80,000 death benefit that shall be paid by the State Treasurer from the general expenditure fund of the State Treasury.

The fiscal impact of SB195 is indeterminable because records are not currently kept on each firefighter’s medical cause of death unless it was already considered death in the line of duty that will qualify under the provisions of this measure.

Estimates have been made of one to four deaths per year that might be determined to be attributed to the conditions addressed in this bill. If those estimates were realized the expected impact could be from \$80,000 to \$320,000 annually. However, as that information is not currently available, the fiscal impact is indeterminable.

DATA SOURCE(S): Kentucky Community and Technical College System Fire Commission

PREPARER: Jennifer Krieger **NOTE NUMBER:** 90 **REVIEW:** JRS **DATE:** 2/19/2016