

106TH CONGRESS  
1ST SESSION

# H. R. 789

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to  
provide death benefits to retired public safety officers.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 23, 1999

Mr. FOSSELLA introduced the following bill; which was referred to the  
Committee on the Judiciary

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## A BILL

To amend the Omnibus Crime Control and Safe Streets  
Act of 1968 to provide death benefits to retired public  
safety officers.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Irwin Rutman Retired  
5       Public Safety Officers Death Benefits Act”.

6       **SEC. 2. DEATH BENEFITS.**

7       (a) PAYMENTS.—Section 1201 of title I of the Omni-  
8       bus Crime Control and Safe Streets Act of 1968 (42  
9       U.S.C. 3796) is amended—

1           (1) in subsection (a), by inserting after “line of  
2       duty” the following: “or a retired public safety offi-  
3       cer has died as the direct and proximate result of a  
4       personal injury sustained while responding to a fire,  
5       rescue, or police emergency”;

6           (2) in subsection (b), by inserting after “line of  
7       duty” the following: “or a retired public safety offi-  
8       cer has become permanently and totally disabled as  
9       the direct result of a catastrophic injury sustained  
10      while responding to a fire, rescue, or police emer-  
11      gency”; and

12          (3) in subsections (c), (i), and (j), by inserting  
13      after “public safety officer” every place it appears  
14      the following: “or a retired public safety officer”.

15      (b) LIMITATIONS.—Section 1202 of title I of the  
16      Omnibus Crime Control and Safe Streets Act of 1968 (42  
17      U.S.C. 3796a) is amended—

18          (1) in paragraph (1), by striking “the public  
19      safety officer or by such officer’s intention” and in-  
20      serting “the public safety officer or the retired pub-  
21      lic safety officer who had the intention”;

22          (2) in paragraph (2), by striking “the public  
23      safety officer” and inserting “the public safety offi-  
24      cer or the retired public safety officer”; and

1           (3) in paragraph (3), by inserting “, or if the  
2       retired public safety officer was behaving,” after  
3       “duties”.

4       (c) NATIONAL PROGRAM.—Section 1203 of title I of  
5       the Omnibus Crime Control and Safe Streets Act of 1968  
6       (42 U.S.C. 2796a–1) is amended by inserting before the  
7       period “or retired public safety officers who have died  
8       while responding to a fire, rescue, or police emergency”.

9       (d) DEFINITIONS.—Section 1204 of the Omnibus  
10      Crime Control and Safe Streets Act of 1968 (42 U.S.C.  
11      3796b) is amended—

12           (1) by striking “and” at the end of paragraph  
13      (6);

14           (2) by striking the period and inserting “; and”  
15      at the end of paragraph (7); and

16           (3) by adding at the end the following:

17           “(8) ‘retired public safety officer’ means a pub-  
18      lic safety officer, as defined in paragraph (7), who  
19      has served a sufficient period of time in such capac-  
20      ity to become vested in the retirement system of a  
21      public agency by which the officer was employed and  
22      who retired from such agency in good standing.”.

1       (e) EFFECTIVE DATE.—The amendments made by  
2 this section shall apply with respect to deaths or injuries  
3 occurring after the date of the enactment of this Act.

