

108TH CONGRESS
1ST SESSION

S. 459

To ensure that a public safety officer who suffers a fatal heart attack or stroke while on duty shall be presumed to have died in the line of duty for purposes of public safety officer survivor benefits.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 26, 2003

Mr. LEAHY (for himself, Mr. GRAHAM of South Carolina, Ms. COLLINS, Mr. JEFFORDS, Mr. SARBANES, Mr. SCHUMER, Mr. DURBIN, Ms. LANDRIEU, Mr. NELSON of Florida, Mrs. CLINTON, and Ms. SNOWE) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To ensure that a public safety officer who suffers a fatal heart attack or stroke while on duty shall be presumed to have died in the line of duty for purposes of public safety officer survivor benefits.

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 “Hometown Heroes
5 Survivors Benefits Act of 2003”.

1 **SEC. 2. FATAL HEART ATTACK OR STROKE ON DUTY PRE-**
2 **SUMED TO BE DEATH IN LINE OF DUTY FOR**
3 **PURPOSES OF PUBLIC SAFETY OFFICER SUR-**
4 **VIVOR BENEFITS.**

5 Section 1201 of the Omnibus Crime Control and Safe
6 Streets Act of 1968 (42 U.S.C. 3796) is amended by add-
7 ing at the end the following:

8 “(k) For purposes of this section, if a public safety
9 officer dies as the direct and proximate result of a heart
10 attack or stroke suffered while on duty, or not later than
11 24 hours after participating in a training exercise or re-
12 sponding to an emergency situation, that officer shall be
13 presumed to have died as the direct and proximate result
14 of a personal injury sustained in the line of duty.”

15 **SEC. 3. APPLICABILITY.**

16 Section 1201(k) of the Omnibus Crime Control and
17 Safe Streets Act of 1968, as added by section 2, shall
18 apply to deaths occurring on or after January 1, 2003.

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