

1 HB438
2 197733-1
3 By Representatives Pettus, Robertson, McCutcheon, Standridge,
4 Shaver, Lovvorn, Warren and Rich
5 RFD: County and Municipal Government
6 First Read: 16-APR-19

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8 SYNOPSIS: Under existing law, the department or agency
9 using the services of a state police officer, who
10 is injured while on duty and the injury is a result
11 of the state police officer acting within the scope
12 of his or her job duties, is required to compensate
13 a state police officer throughout the officer's
14 period of recovery at the normal rate of
15 compensation in effect for the officer at the time
16 of injury.

17 This bill would require that a county or
18 municipality using the services of a county or
19 municipal police officer, who is injured while on
20 duty and the injury is a result of the county or
21 municipal law enforcement officer acting within the
22 scope of his or her job duties, is required to
23 compensate a county or municipal law enforcement
24 officer throughout the officer's period of recovery
25 at the normal rate of compensation in effect for
26 the officer at the time of injury.

1 A BILL
2 TO BE ENTITLED
3 AN ACT
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5 Relating to county and municipal law enforcement
6 officers; to require that a county or municipality using the
7 services of a county or municipal law enforcement officer, who
8 is injured while on duty and the injury is a result of the
9 county or municipal law enforcement officer acting within the
10 scope of his or her job duties, is required to compensate a
11 county or municipal law enforcement officer throughout the
12 officer's period of recovery at the normal rate of
13 compensation in effect for the officer at the time of injury
14 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

15 Section 1. (a) For purposes of this section, a
16 "county law enforcement officer" is a full-time law
17 enforcement officer of any county, who is certified by the
18 Alabama Peace Officers' Standards and Training Commission and
19 who has no limited authority within the county except as
20 otherwise provided by law.

21 (b) For purposes of this section, a "municipal law
22 enforcement officer" is a full-time law enforcement officer of
23 any municipality, who is certified by the Alabama Peace
24 Officers' Standards and Training Commission and who has no
25 limited authority within the municipality except as otherwise
26 provided by law.

1 (c) When a county or municipal law enforcement
2 officer being used by a county or municipality is injured
3 while on duty and his or her injury or injuries were not the
4 result of his or her willful conduct, and the injury resulted
5 when the officer was in conflict, pursuit, or observation of a
6 person or persons suspected or under suspicion of breaking the
7 law, or has broken the law, or is in the process of breaking
8 the law, or when the officer is defending persons or property
9 in the line of duty, the county or municipality using the
10 services of the officer at the time of the injury shall
11 compensate the officer throughout the entire period of
12 recovery, as determined by the doctor or doctors treating the
13 injury or injuries, at the normal rate of compensation in
14 effect for the county or municipal law enforcement officer at
15 the time of injury.

16 (d) Notwithstanding any other provision of law, any
17 compensation, which is provided as a benefit of employment, to
18 a county or municipal law enforcement officer through an
19 insurance carrier or self-insurer, shall count toward the
20 officer's normal rate of compensation. If the compensation
21 provided through the insurance carrier or self-insurer is less
22 than the officer's normal rate of compensation, then the
23 county or municipality shall pay the officer an additional
24 amount that would equal the officer's normal rate of
25 compensation when combined with the compensation from the
26 insurance carrier or the self-insurer.

1 Section 2. This act shall become effective on the
2 first day of the third month following its passage and
3 approval by the Governor, or its otherwise becoming law.