**South Carolina General Assembly**

124th Session, 2021-2022

**H. 3165**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. McCravy, McGarry, Fry, V.S. Moss, Pope, Gilliam, Yow, Trantham, Oremus, Huggins, Wooten and Bennett

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Introduced in the House on January 12, 2021

Currently residing in the House Committee on **Ways and Means**

Summary: Fallen First Responders Survivor Advocate position

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/9/2020 House Prefiled

12/9/2020 House Referred to Committee on **Ways and Means**

1/12/2021 House Introduced and read first time ([House Journal‑page 98](file:///h:\hj\20210112.docx))

1/12/2021 House Referred to Committee on **Ways and Means** ([House Journal‑page 98](file:///h:\hj\20210112.docx))

1/13/2021 House Member(s) request name added as sponsor: Yow, Trantham, Oremus, Huggins, Wooten

1/14/2021 House Member(s) request name added as sponsor: Bennett

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**VERSIONS OF THIS BILL**

[12/9/2020](file:///p:\pprever\2021-22\3165_20201209.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 8 TO CHAPTER 11, TITLE 1 SO AS TO CREATE THE “FALLEN FIRST RESPONDER SURVIVOR ADVOCATE” POSITION WITHIN THE DEPARTMENT OF ADMINISTRATION AND PROVIDE ITS DUTIES AND RESPONSIBILITIES.

Whereas, law enforcement officers, firefighters, correctional officers, and emergency medical service technicians face many dangers in the honorable mission to protect and serve the citizens of and visitors to our State; and

Whereas, during the past thirty years, over one hundred of these public servants lost their lives in the line of duty; and

Whereas, many of these deceased brave men and women have left family survivors including spouses, children, and other family members, who in their time of grief were often left to fend for themselves with no guidance as to where to turn for help with grief counseling, bureaucratic processes, burdensome paperwork, special benefits, and reluctant cooperation by third parties, all while facing the tragic circumstances of losing loved ones; and

Whereas, many of them were faced with identifying and filing documents to obtain medical, insurance, monetary, educational, workers compensation, property tax exemption and other benefits that accrued to them and their children; and

Whereas, the members of the General Assembly believe it would be beneficial to the survivors to have one person, filling the role of a statewide advocate, within the Department of Administration charged with assisting them in obtaining appropriate guidance, help and benefits that may accrue from the tragic loss of their fallen heroes. Now therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 11, Title 1 of the 1976 Code is amended by adding:

“Article 8

Fallen First Responder Survivor Advocate

Section 1‑11‑1210. (A) The Fallen First Responder Survivor Advocate position is created within the Department of Administration. The department shall employ only one full‑time person who shall issue a report to the General Assembly after one full year as to whether an administrative assistant is needed to fulfill the mandates of this article.

(B) The Fallen First Responder Survivor Advocate must possess a four‑year college degree, with at least four years of experience in insurance claims, consumer advocacy, benefits, dispute resolution, legal or similar work, and shall receive pay commensurate with qualifications and experience.

(C) As contained this article:

(1) ‘Survivor’ means a spouse, child, immediate family member, dependent and other persons, who may be entitled to benefits that may accrue to them as a result of the death of a fallen first responder.

(2) ‘Fallen first responder’ means a law enforcement officer, firefighter, corrections officer, and emergency medical technician personnel who volunteers for or is employed by, the State of South Carolina or any political subdivision of the State of South Carolina, or who volunteers for and is employed by any combination of these governmental entities, who is killed in the line of duty, or, who is injured in the line of duty and death results from an injury sustained in the line of duty.

(D) In cases of doubt, the definitions contained in subsection (C) must be construed liberally so as to include all types of first responders who sacrificed their lives for our State and their loved ones.

Section 1‑11‑1220. The Fallen First Responder Survivor Advocate shall immediately notify survivors of fallen first responders of the availability of an advocate to advise and assist them with regard to any and all issues that arise as a result of the death of their family member to include, but not be limited to:

(1) mental health counseling;

(2) life insurance;

(3) health insurance;

(4) special death benefits;

(5) workers’ compensation benefits;

(6) educational benefits;

(7) social security and other federal benefits;

(8) state property tax exemptions; and

(9) any other assistance the advocate or the survivor identifies.

Such assistance shall continue, as needed, for the life of the survivors and shall be retroactively applied to current survivors.”

SECTION 2. This act takes effect upon approval by the Governor.

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