

Public Safety Personnel Funeral Reimbursement

In summary:

Any law enforcement, safety or emergency worker that is killed while carrying out official duties may be entitled to funeral expense reimbursement.

To apply, the employer or supervisor of the deceased must submit a written request and attach verification of funeral expenses (official documentation from the funeral service provider) to the Secretary of the West Virginia Department of Military Affairs and Public Safety. Funds provided may be up to but will not exceed \$8,000 and will be directed to the funeral service provider.

See below for more details.

WEST VIRGINIA CODE

CHAPTER 15. PUBLIC SAFETY

ARTICLE 11. PAYMENT OF FUNERAL EXPENSES.

15-11-2. Payment of funeral expenses of law enforcement, safety and emergency workers killed in the line of duty.

- (a) The Secretary of Military Affairs and Public Safety shall, upon written request, direct payment from the fund in the form of a draft as provided in this article up to and including an amount not exceeding eight thousand dollars for the reasonable funeral expenses, including burial expenses, of a law enforcement, safety or emergency worker killed on or after the first day of January, one thousand nine hundred ninety-nine, while carrying out official duties: Provided, that no funds shall be expended for any funeral expense that is otherwise payable pursuant to the provisions of article four (23-4-1) chapter twenty-tree of this code, as amended, or other benefit programs established by a provision of this code which does not involve employee participation: Provided, however, that where other funds for funeral expenses are provided pursuant to the laws of this state, from whatever source, which amount to less than eight thousand dollars, funds provided by the provisions of this section shall be expended so as to ensure that at least eight thousand dollars is available for reasonable funeral expenses. The secretary shall direct payment of the funeral expenses upon written request of an employer or head of a volunteer organization, as is appropriate pursuant to this article, certifying that the individual for whom funeral expenses are requested was killed while performing official duties.
- (b) The Secretary shall supply the draft in the name of the person contracting for the funeral services and, if know, the service provider to the employer or agency head making the request who shall tender the draft to the person who contracted for the services.
- (c) For the purpose of this section, "law enforcement, safety or emergency worker" means:

- (1) Any duly authorized member of a law enforcement agency who is authorized to maintain public peace and order, prevent and detect crime, make arrests and enforce the laws of the state or any county or municipality of the state, other than parking ordinances, and including those persons employed as security officers at municipal, county, regional or state offices, authorities or institutions, although their employers may not be public law enforcement agencies, employed by the Hatfield-McCoy Regional Recreation Authority and members of the West Virginia National Guard while engaged in active duty service: Provided, that this section does not apply to those persons employed by private security firms or agencies;
- (2) Any state, regional, county or municipal correctional employee;
- (3) Any firefighter employed by the state or any political subdivision of the state and any volunteer firefighter performing as a member of a volunteer fire department;
- (4) Any "emergency medical service personnel," as defined in section three (16-4C-3), article four-c, chapter sixteen of this code, employed by or volunteering for any state agency or institution or political subdivision of the state; or
- (5) Any probation officer appointed under the provisions of either section five (62-12-5), article twelve, chapter sixty-two of this code or section fifteen (49-5-15), article five, chapter forty-nine of this code.