



HOUSE BILL 744: State Emps./Amend Salary Continuation.

2017-2018 General Assembly

Committee:	House State and Local Government II. If	Date:	April 19, 2017
	favorable, re-refer to State Personnel		
Introduced by:	Reps. McNeill, R. Turner	Prepared by:	Cindy Avrette
Analysis of:	First Edition		Staff Attorney

OVERVIEW: House Bill 744 would facilitate the return to work of law enforcement officers hurt on the job by providing that a duty is properly assigned if it complies with the authorized treating physician's restrictions. The bill would cease or reduce salary continuation payments upon the assignment of the employee to duties properly assigned or when the employee returns to work for the same or a different employer.

CURRENT LAW: The Salary Continuation Plan under Article 12B of Chapter 143 provides that an eligible law enforcement officer may continue to receive the employee's salary notwithstanding that the employee is unable to perform the duties required for that position. To be eligible for the salary continuation, the employee must have become incapacitated as the result of an injury arising from the employee's official duties. The employee may continue to receive the salary continuation benefit for two years. If the employee remains incapacitated for more than two years, the employee is subject to the provisions of the workers compensation laws.

The salary continuation ceases once the employee resumes regularly scheduled duties, retirement, resignation, or death, whichever occurs first.

BILL ANALYSIS: House Bill 744 would stop or reduce salary continuation benefits for eligible officers upon the assignment of the employee to duties that comply with the treating physician's restrictions or upon the employee's return to work for the same or a different employer. The bill also provides that a duty is properly assigned if the duty complies with the authorized treating physician's restrictions.

The changes in the bill would facilitate incapacitated law enforcement officers returning to work in some capacity, and it would reduce the State's liability to make salary continuation payments otherwise payable. The bill would not affect workers compensation payments, which only come into use for an incapacity lasting more than two years.

EFFECTIVE DATE: The bill would become effective when it becomes law, and apply to State employees incapacitated on or after that date.

Karen Cochran-Brown
Director



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Legislative Analysis
Division
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