

STATE OF TEXAS OFFERS SPECIAL BENEFITS TO SURVIVORS OF THOSE KILLED IN THE LINE OF DUTY

The Texas Legislature enacted Chapter 615 of the Texas Government Code to provide death benefits for eligible survivors of certain law enforcement officers, fire fighters, and others killed in the line of duty. The program is funded by the state and is administered by the Employees Retirement System of Texas (ERS.) It is not part of any retirement program.

The benefits paid under Chapter 615 are available only when the individual suffers a death occurring during the performance of his or her duty and resulting from exposure to a risk inherent in the particular duty performed or a risk to which the general public is not customarily exposed. There are no age or length-of-service eligibility requirements for this benefit. Payments made under Chapter 615 are in addition to any other benefits for which the survivors of deceased individuals may be eligible (examples: federal benefits and educational benefits).

Who qualifies for Chapter 615 benefits?

This program may be available to eligible survivors of the following individuals:

- Commissioned Peace Officers (as defined by Article 2.12 of the Criminal Procedure Code,)
- employees subject to certification by the Texas Commission on Fire Protection (TCFP,)
- members of organized volunteer fire fighting, police reserve, or auxiliary units,
- members of Emergency Medical Service units,
- Custodial Officers of the Texas Department of Criminal Justice (TDCJ,)
- employees whose principal duties are aircraft crash and rescue fire fighting and
- others as defined by Chapter 615 of the Texas Government Code.

What Chapter 615 benefits are available?

There are several benefits available. Please be aware that eligibility requirements apply to each of them.

- A one-time payment of at least \$500,000 from the state for a surviving spouse, or in equal shares, to the surviving children or parents (Texas Government Code Section 615.022) - The payment is based on the Consumer Price Index for All Urban Consumers (CPI-U) and is adjusted each fiscal year.
- State-paid funeral expenses payable to eligible survivors if the deceased was a Commissioned Peace Officer; jailer, county jailer or guard; or was employed by TDCJ in an eligible position (Texas Government Code Section 615.121(a)(1) and 615.122)
- A monthly payment paid by the state to a surviving spouse if the deceased was a Commissioned Peace Officer; jailer, county jailer or guard; or was employed by TDCJ in an eligible position (Texas Government Code Section 615, Subchapter D)
- A monthly payment paid by the state to surviving minor children (Texas Government Code Section 615.023)
The state would pay a monthly payment to a parent or guardian of the surviving minor children until the minor reaches age 18: for one surviving child, \$400; for two surviving children, \$600; or for three or more children, \$800.
- A surviving spouse and children may be eligible to enroll in health, dental and/or vision benefits provided by the former employer of the deceased upon the death of the Commissioned Peace Officer, firefighter, police cadet, firefighter cadet or a TDCJ employee in an eligible position. The surviving spouse may continue health benefits until the date the surviving spouse becomes eligible for federal Medicare benefits as long as they pay the appropriate health insurance premium each month. Surviving children can continue enrollment in the health, dental and vision plans as long as they pay the premiums and are under age 26. Dental and vision benefits are not available to married children (Texas Government Code Section 615, Subchapter D).

How do I apply for Chapter 615 benefits?

The employer or a family member should contact ERS directly to initiate the Chapter 615 claim process. ERS will work with the appropriate entities to gather the required documentation and information for the Chapter 615 claim process.

For more information on benefits available under Chapter 615, contact:

Customer Service
Employees Retirement System of Texas
Attn: Survivor Benefits
P.O. Box 13207
Austin, TX 78711-3207
Toll-free: (877) 275-4377

Federal benefits

The employer or family can contact the Public Safety Officers' Benefits Program about potential federal benefits:

Public Safety Officers' Benefits Program
Bureau of Justice Assistance
810 Seventh Street NW
Washington, DC 20531

Telephone: (202) 307-0635 or
toll-free (888) 744-6513

Website: <https://psob.bja.ojp.gov/>

Educational benefits

For additional information regarding student eligibility, please contact:

Texas Higher Education Coordinating Board
Division of Student Services
P.O. Box 12788
Austin, TX 78711

Telephone: (512) 427-6101

Website: www.highered.texas.gov

Surviving Spouse Residence Homestead Exemption

The surviving spouse can contact the residence's appraisal district for more information regarding this exemption. (Texas Tax Code Section 11.134)