TEXAS

Death Benefits Available to the Surviving Families of Law Enforcement Officers Killed in the Line of Duty

To obtain certified copies of registered personal documents, contact the Bureau of Vital Statistics: Submit written request to PO Box 149347, Austin, TX 78714. Office: (512) 776-7111. www.dshs.state.tx.us/vs

STATE DEATH BENEFITS
Death benefits are provided for survivors of Law Enforcement Officer Art. 6228f, V.C.S. entitled "Survivors of Law Enforcement Officers". For line-of-duty death occurring prior to September 1, 2001, the state shall pay $50,000 to an eligible surviving spouse. Surviving dependent parent(s) may also receive a state death benefit. For deaths occurring on or after September 1, 2001, the state shall pay $500,000 to the eligible surviving spouse. If there is no spouse, this amount will be divided equally among surviving children. If there is no eligible surviving spouse or children, the benefit will be paid in equal shares to surviving parents. The state shall pay to the duly appointed or qualified guardian or other legal representative of an eligible surviving minor child:
(1) $400 each month, if there is one surviving child;
(2) $600 each month, if there are two surviving children; or
(3) $800 each month, if there are three or more surviving children.
(b) A child’s entitlement to assistance payable under this section ends on the child’s 18th birthday. At that time, payments to any other surviving minor children shall be adjusted, as necessary, to conform to the amounts payable under Subsection (a). Additionally, the state will pay funeral expenses related to the deceased officer provided the officer had not qualified for an annuity under an employees’ retirement plan.

For more information contact the Texas Employee Retirement System, Member Benefits Division, Debra Kelly, P.O. Box 13207, Austin, TX 78711-3207. Office: (877) 275-4377. www.ers.state.tx.us

EDUCATIONAL BENEFITS
Texas Education Code 54.204. Children of peace officers killed or disabled in the line of duty prior to September 1, 2000, are exempt from all dues, fees, and charges, not including room or board, at any public college in Texas. This exemption covers 120 undergraduate semester credit hours.
A child must apply initially for the exemption before he/she reaches 21 years of age, or age 22 if eligible to participate in a school district’s special education program. He/She must meet the entrance requirements of the college and maintain a scholastic average.
adequate to be in good standing. For more information, contact Angela Crowder at (512) 427-6344 or (800) 242-6344.

**Government Code 615.0225.** For line-of-duty deaths that occur on or after September 1, 2000, education benefits are expanded. Eligible survivors include a surviving spouse as well as surviving children, provided the children were claimed as dependents on the income tax return filed with the IRS by the deceased officer in the year prior to the year of death. Survivors must be enrolled as full-time students to be eligible. Eligible survivors are exempt from tuition and fees until receipt of a bachelor’s degree or 200 hours of course credit, whichever occurs first. Additionally, if the student elects to reside in housing provided by the institution of higher education and qualifies to reside in that housing, the student will be exempt from charges for food and housing. If no school housing is available, the student will be paid the equivalent amount for food and housing. The student shall also be reimbursed the cost of textbooks. If applying through this code, send information directly to the school.

For additional information contact the Texas Higher Education Commission, 1200 E. Anderson Lane, Austin, TX 78752 (Mailing: P.O. Box 12788, Austin, TX 78711-2788.) Main: (512) 427-6101.

**WORKERS’ COMPENSATION**

Workers’ Compensation coverage is elective for employers in Texas. Workers’ Compensation will pay the following death benefits when a law enforcement officer is killed in the line of duty:

1. Will pay up to $2,500 for funeral expenses which can be paid directly to the funeral home handling the burial arrangements.
2. Payment will be computed by multiplying the employee’s average weekly wage by .75 with the maximum weekly payment to be the established State average weekly wage.
3. If the officer is survived by any minor children, Workers’ Compensation will divide the payment, paying half of the weekly death benefits to the child until the child reaches the age of 18, or beyond age 18 if disabled, or until the child reaches the age of 25 if full-time students. If there are two or more children, the half of weekly death benefits will be equally divided among the surviving children (see statute for more details).
4. At such time as all dependent children become of age the surviving spouse will receive the total weekly benefit thereafter.
5. If the Line of Duty Death occurs on or after September 1, 2015, the surviving spouse will continue to receive the Worker’s Compensation Benefit whether or not the surviving spouse chooses to remarry. The minor child or children will receive weekly benefit until reaching the maximum age.
(6) If the officer was single and had never been married, the parents (if living) or next of kin, if financially dependent upon the officer, are entitled to receive cash settlement under Workers’ Compensation.

Workers’ Compensation benefits will begin approximately **two weeks after the date of filing**, and are calculated based on the officer’s average salary for the **13 weeks immediately prior to death**.

For more information contact the Texas Workers’ Compensation Commission Central Office, 7551 Metro Center Dr. Suite 100, Austin, TX 78744-1645. Office: (800) 252-7031.

**HEALTH BENEFITS**

Health benefits vary depending upon police department benefits. Spouses of state and county officers may elect to continue to participate in the same benefit program in effect at the time of the officer’s death. Contact the Benefits Coordinator at your agency. The surviving spouse and surviving dependents of Texas law enforcement officers killed in the line of duty are entitled to purchase or continue to purchase health insurance benefits. The surviving spouse is entitled to continue to purchase health insurance coverage until the earlier of:

1. the date the surviving spouse remarries;
2. the date the surviving spouse becomes eligible for group health insurance through another employer; or
3. the date the surviving spouse becomes eligible for federal Medicare benefits.

Surviving dependent minor children are entitled to continue health insurance coverage until the dependent reaches the age of 18 years or a later date to the extent required by state or federal law.

Surviving dependents who are not minor children are entitled to purchase or continue to purchase health insurance coverage until the earlier of:

1. the date the dependent marries;
2. the date the dependent becomes eligible for group health insurance through another employer; or
3. the date the dependent becomes eligible for federal Medicare benefits.

Survivors may elect to continue coverage at any level of benefits currently offered by the employing entity to dependents of an active employee. Eligible survivors who are entitled to continued coverage are entitled to purchase the coverage at the group rate for that coverage that exists at the time of payment.

**Contact the Benefits Assistance Officer at your agency to continue group health insurance coverage.**

**RETIREMENT/PENSION**

Members of the **Employees Retirement System of Texas (ERS)** and also of the **Law Enforcement Custodial Officer Supplemental Retirement Fund** have pension benefits for their survivors.

Prompt notification of death should be made, and to expedite the filing of this claim, the following should be furnished:

CONCERNS OF POLICE SURVIVORS  PO BOX 3199 CAMDENTON, MO 65020  OFFICE:(573) 346-4911  FAX:(573) 346-1414  WWW.NATIONALCOPS.ORG   COPS@NATIONALCOPS.ORG
(1) Sworn statement by the surviving spouse making application for the death
benefits, giving the name of the deceased spouse, the date of death, name and
ages of all minor children involved together with the address of the surviving
spouse and children.
(2) Certified copies of the investigative reports relating the fatal injury (if available).
(3) Certified copies of the death certificate.
(4) Certified copy of the Coroner’s Report, if any.
(5) Affidavits from any witnesses detailing the facts of the fatal injury (if available).
(6) Sworn statement from the head of the employing agency stating that the time of
the fatality the deceased officer was employed full-time as a Law Enforcement
Officer and that the officer was on duty at the time of the fatal accident, and that
death was the result of risk or hazard inherent in his employment.
(7) Certified copy of marriage license showing marriage between the surviving
spouse and the deceased.
(8) A statement from a responsible physician, who has examined the surviving
female spouse, as to whether or not she is pregnant.
(9) Sworn statements from two substantial persons who are qualified to say that
they had known the deceased a number of years intimately enough to know
whether either has been previously married, and the names and approximate
ages of their children, if any.
(10) Certified copies of court orders granting divorce for either the deceased or the
surviving spouse, if any.
(11) Certified copies of Birth Certificates for minor children involved.
(12) If a guardianship is involved, certified copies of all guardianship papers.

For deaths occurring after September 1, 2001, the surviving spouse and minor children
of an officer killed in the line of duty who had not qualified for an annuity under an
employees’ retirement shall receive a monthly annuity from the State.

For specific information concerning your particular situation contact the State Board
of Trustees, Employees Retirement System of Texas Survivor Benefits Office: (877)
275-4377. www.ers.state.tx.us

In Texas, police officers in big cities have their own municipal retirement systems. All
the different police pension systems offer death benefits and in general differentiate
between on-duty and off-duty deaths. Contact the Benefits Assistance Officer of your
agency for specific information.
ADDITIONAL BENEFITS
PEER SUPPORT ORGANIZATION
Established in 1984, Concerns of Police Survivors, Inc., (C.O.P.S.), is a national, non-profit organization that works with law enforcement agencies, police organizations, mental health professional, and local peer-support organizations to provide assistance to surviving families of law enforcement officers killed in the line of duty. C.O.P.S. has become a “lifeline” to police survivors nationwide. Contact the C.O.P.S. National Office at (573) 346-4911 or visit https://www.nationalcops.org/localchapters.html for information on a chapter in your area.

C.O.P.S. Scholarship. Those eligible are surviving children and spouses of law enforcement officers who died in the line of duty, provided the survivor is not already entitled to a tuition-free education as a state benefit. For more information on the C.O.P.S. Scholarship program, visit www.nationalcops.org/scholarship.html. To see if your state has tuition-free education benefit visit www.nationalcops.org/survivorbenefits.

Duty Weapon and Badge, On the death of a Texas law enforcement officer, the employing governmental entity shall provide, at no cost, the deceased individual’s duty weapon, if any, and badge to the individuals designated beneficiary or to the estate if the individual did not designate a beneficiary. The governmental entity that employs the law enforcement officer shall provide the individual a form on which the individual may designate the individual’s beneficiaries for the purposes of this benefit. Contact your agency.

Burial with Uniform, If a Texas law enforcement officer dies and is to be buried in the individual’s uniform, the employing governmental entity shall provide the uniform at no cost. Contact your agency.

The Fleetwood Memorial Foundation, Mr. W.I. Fleetwood established the Fleetwood Memorial Foundation in 1974 out of gratitude and respect for the men and women of Texas who dedicates their lives to the safety of the public. The Foundation’s purpose is to provide virtually instant no-strings-attached grants of $10,000 to certified Texas Law Enforcement or Fire Protection Personnel who are injured in the performance of their duties or to the families of such personnel who are killed in the performance of their duties. These grants are designed to provide immediate financial relief to meet unexpected expenses until insurance or more permanent sources of funds can be arranged. Funds are available for education expenses to re-educate qualified personal if they are unable to return to their normal duties after an accident. Educational funds for college are also available to the dependent children of deceased Peace and Fire personal.
The Fleetwood Foundation has provided over 400 grants to qualified recipients totaling nearly $1,500,000 since inception in 1974. Application for Fleetwood grants may be made **by any Texas law enforcement or fire protection agency, on behalf of qualified personnel injured or killed in the performance of their duty**.

For more information contact The Fleetwood Foundation, 501 South Fielder RD, Arlington, TX 76013. Office: (817) 261-8954. [www.fleetwoodmemorial.org/middle.html](http://www.fleetwoodmemorial.org/middle.html)

**National Rifle Association (NRA) Line of Duty Death Benefit** is paid to the spouse or survivor of any current NRA Member, who is a public law enforcement officer, and is killed in the line of duty. Coverage is automatic for all law enforcement officers who are NRA members. Contact the NRA to file a line of duty death benefit claim.

For more information or to file a line of duty death benefit claim, contact the NRA, 11250 Waples Mill RD, Fairfax, VA 22030. Office: (800) 672-3888.

**National Sheriffs’ Association (NSA) members** (excluding Auxiliary and Retired Paid-Up-For-Life members) receive Free Accidental Death & Dismemberment Insurance, with a $10,000 benefit amount for the Sheriffs and a $3,000 benefit for others. Coverage is subject to the terms and conditions of the group policy held by NSA.

For more information, please contact the NSA, 1450 Duke Street, Alexandria, VA 22314. Office: (703) 836-7827.

**THE 100 CLUB, Inc.** Established in 1953, the 100 Club benefits cover **Austin, Brazoria, Brazos, Burleson, Chambers, Colorado, Fayette, Fort Bend, Galveston, Grimes, Liberty, Madison, Montgomery, San Jacinto, Walker, Waller, and Washington Law Enforcement Peace Officers** and **any State or Federal Law Enforcement Officer located and discharging duties in those counties** and, further, brings financial aid to the families of those officers losing their lives in the line of duty.

For more information contact The 100 Club of Central Texas, 3200 Steck Avenue Suite 240, Austin, TX 78757. Office: (512) 345-3200.

**The Woodmen of the World 1st Responders Benefit** pays a $10,000 fraternal death benefit if a qualified member is killed while performing his or her duties as a non-military first responder. To be eligible for this benefit, an individual must be a good standing benefit member. First Responders include firefighters, EMT/paramedics, police, or a person performing a supporting role to such individuals.

For more information, please contact Woodmen of the World, Woodmen Tower, 1700 Farnam Street, Omaha, NE 68102. Office: (800) 225-3108.

**Fraternal Order of Eagles Memorial Foundation** provides financial assistance for surviving children of full-time law enforcement officers killed in the line of duty who were also active members of the Fraternal Order of Eagles at the time of their death.
For more information, please contact Fraternal Order of Eagles, 1623 Gateway Circle, S. Grove City, OH 43123. Office: (614) 883-2200.

**The Knights of Columbus.** Scholarships are available to children of members of the Order, who, as a result of criminal violence, lost their lives or became totally and permanently disabled while in the lawful performance of their duties as full-time law enforcement officers. For more information, visit the Knights of Columbus [website](https://www.kofc.org). Or contact the headquarters, 1 Columbus Plaza, New Haven, CT 06510. Office: (203) 752-4000.

**Military Order of the Purple Heart** scholarship is a competitive scholarship program that awards approximately eighty (80) scholarships to Purple Heart recipients and their spouses, children, and grandchildren each year. To be eligible to apply for a MOPH Scholarship, each applicant needs to be a member of one of the following categories: (1) a Purple Heart recipient who is also a member of MOPH, or (2) the spouse of a Purple Heart recipient who is a Member of MOPH, or (3) the direct lineal descendent (child, step-child, adopted child, grandchild or step-grandchild) of a Purple Heart recipient which is a Member of MOPH, or (4) the spouse, widow/widower, or direct lineal descendent as defined above of a service member killed-in-action or who died of wounds. If the Purple Heart recipient is listed as killed-in-action or died of wounds, supporting documentation must accompany the application. (Great-grandchildren are not eligible to apply. A MOPH Associate membership or membership in the MOPH Ladies Auxiliary does not by itself convey scholarship eligibility.)

A Purple Heart recipient who is not a member of the MOPH can become a member by applying online through the MOPH website: [www.purpleheart.org](http://www.purpleheart.org). To be eligible to apply for the scholarship, the Purple Heart recipient must be a current member, a member at the time of his or her death, or documented as killed-in-action or as having died of wounds. If you do not know whether your lineal descendent was a member of MOPH before his or her passing, please contact MOPH Headquarters for assistance at (888) 668-1656 or (703) 642-5360 and ask for MOPH Membership.

In order to receive an MOPH Scholarship, applicants must meet the following three requirements: (1) be a graduate or upcoming graduate (current senior) of a high school or GED program, and (2) accepted by or enrolled as a FULL-TIME undergraduate student (carrying 12+ credit hours per semester) at an accredited U.S. college, university, or trade school at the time the scholarship is awarded, and (3) be able to demonstrate the capacity for advanced academic achievement or technical proficiency as demonstrated by maintaining at least a 2.75 cumulative Grade Point Average (GPA) based on an un-weighted 4.0 grading system. (The academic requirement of a 2.75 GPA...
may be waived for a Purple Heart recipient who is a member of the MOPH.) Graduate students and students going back to school to receive additional undergraduate degrees after successfully completing at least one prior undergraduate degree program are not eligible to apply.  
An applicant may receive a maximum of two scholarships awarded in non-consecutive years. Scholarship funds can be used for tuition, books, incidental fees, room and board, and other direct costs associated with higher education. MOPH scholarship funds cannot be used for transportation expenses, summer school, to pay pre-existing educational loans, or to pay for a special program/research project.  
For more information about the MOPH Scholarship Program, please visit the website, or contact the Scholarship Chairwoman Wendy Buckingham, (501) 804-9170, email: scholarshipchairwoman@purpleheart.org or Mr. Stewart McKeown at MOPH Headquarters (703)-642-5360 or Email: scholarship@purpleheart.org.  

FUNERAL AND CREMATION BENEFITS  
Dignity Memorial funeral, cremation and cemetery providers created the Public Servants Program for emergency service personnel. This program provides dignified and honorable tributes, at no cost, for career and volunteer law enforcement officers who fall in the line of duty. Visit their website for complete information @ www.dignitymemorial.com and look under Public Servants for details. You may also call 800-344-6489 and speak with a representative.  

Wilbert Funeral Services, Inc. provides complimentary burial vaults and related services for fallen law enforcement officers. For more information, visit www.wilbert.com or call (888) WILBERT.