Volunteer Firefighter Death Benefit
Application Procedures

Chapter 878 of the 2004 Public Acts creates a $25,000 death benefit for certain volunteer firefighters killed in the line of duty. Codified at Tennessee Code Annotated § 7-51-206, this act became effective on June 6, 2004. It was subsequently amended by Chapter 314 of the 2005 Public Acts and applies to volunteer firefighters killed in the line of duty on or after June 8, 2004. Chapter 912 of the 2006 Public Acts further amended Tennessee Code Annotated § 7-51-206 to make only the estates of unpaid volunteer firefighters eligible for this death benefit.

In order to be eligible for this benefit, each of the following criteria must be met:

1. The deceased must have been a member of a municipal or non-profit fire department that is registered and recognized by the State Fire Marshal's Office.

2. The deceased must have been an unpaid volunteer with such fire department. Volunteer means a firefighter who is not in the employ of a unit of government as a full-time employee of a fire department of such unit.

3. The deceased must have been required to extinguish and control fires or fire-related incidents.

4. The death must have occurred as a result of the actual discharge of the duties of the position of firefighter.

To receive the benefit conferred by this statute, the executor, administrator or other appropriate representative of the estate of a firefighter killed in the line of duty must apply to the Commissioner of the Department of Commerce and Insurance.

The application for the benefit shall include the following documentation:

1. A cover letter from the applicant requesting the benefit;

2. Proof that the applicant is authorized to act on behalf of the deceased firefighter's estate (e.g., letters testamentary or letters of administration);

3. A notarized and signed affidavit from an appropriate local government official or the chief of the deceased firefighter's fire department containing the following:

    a) Confirmation of the deceased's employment status as an unpaid volunteer fighter, as defined by Chapter 912 of the 2006 Public Acts, required to extinguish and control fires or fire-related incidents,

    b) Fire department name,

c) Date of death, and

d) A statement that the firefighter's death occurred as a result of the discharge of responsibilities in the line of duty;

4. A true copy of the deceased's death certificate or in the Commissioner's or her designee's discretion a copy of a true copy;

5. A copy of the current Fire Department Recognition Certificate of the deceased firefighter's department; and

6. A copy of a completed Tennessee Fire Incident Report detailing the incident resulting in the firefighter's death.

The application and documentation should be sent to:

Commissioner c/o Eugene Neubert
Tennessee Department of Commerce and Insurance
5th Floor
500 James Robertson Pkwy
Nashville, Tennessee 37243

Questions or concerns about the volunteer firefighter death benefit should be directed to the Department's Assistant Commissioner for Administration, Eugene Neubert at 615-741-2705 or Eugene.Neubert@state.tn.us.