

(iv) actively participating in the ambulance, advanced life support, or rescue work of an advanced life support unit or a fire, ambulance, or rescue company, including going to or from an emergency or rescue; and

(v) providing emergency or rescue assistance, whether acting alone or at the direction of or with a fire, ambulance, or rescue company or advanced life support unit.

(6) "Stepchild" means a child of the surviving spouse who was living with or dependent for support on the decedent at the time of the decedent's death.

(b) (1) Subject to subsection (c) of this section and paragraph (2) of this subsection, a death benefit of ~~[\$50,000]~~ \$125,000 shall be paid to the surviving spouse, child, dependent parent, or estate of each of the following individuals who is killed or dies in the performance of duties on or after ~~July~~ JANUARY 1, [1989] 2007 2006:

- (i) a law enforcement officer;
- (ii) a correctional officer;
- (iii) a volunteer or career firefighter or rescue squad member; or
- (iv) a sworn member of the office of State Fire Marshal.

(2) For fiscal year ~~[1999]~~ 2009, and for each following fiscal year, the death benefit provided in the prior fiscal year shall be adjusted by any change in the calendar year preceding the fiscal year in the Consumer Price Index (all urban customers - United States city average - all items), as published by the United States Bureau of Labor Statistics.

(3) A death benefit under this subsection is in addition to:

- (i) any workers' compensation benefits;
- (ii) the proceeds of any form of life insurance, regardless of who paid the premiums on the insurance; and
- (iii) the funeral benefit provided under subsection (d) of this section.

(c) (1) Whenever an individual identified in subsection (b)(1)(i) through (iv) of this section dies as the direct and proximate result of a heart attack or stroke, the individual shall be presumed to have died as a direct and proximate result of a personal injury sustained in the performance of duties if:

- (i) the individual, while on duty:
 - 1. engaged in a situation that involved nonroutine stressful or strenuous physical law enforcement, fire suppression, rescue, hazardous material response, emergency medical services, prison security, disaster relief, or other emergency response activity; or
 - 2. participated in a training exercise that involved nonroutine stressful or strenuous physical activity;