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## DIGEST

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Anders

HB No. 932

**Abstract:** Provides with respect to financial security for survivors of certain law enforcement officers and membership of the Law Enforcement Officers and Firemen's Survivor Benefit Review Board.

Present law provides for the creation of the Law Enforcement Officers and Firemen's Survivor Benefit Review Board within the Dept. of Justice, and its members, which consist of the attorney general, the legislative auditor, and the state risk manager or their named designees.

Proposed law retains present law and adds an active (POST) certified peace officer to be appointed by the governor as a member of the board.

Present law requires the board to hear and decide by unanimous vote all claims for survivor benefits within 60 days after documentation is received and authorizes the board to request any information that may be necessary to make a determination of eligibility for survivor benefits.

Proposed law retains present law.

Present law provides for the financial security of surviving spouses and dependent children of law enforcement officers where such officers suffer death as a result of any injury arising out of and in the course of the performance of his official duties as such officer, or arising out of any activity, while on or off duty, in the protection of life or property.

Proposed law retains present law.

Present law provides that, in certain cases, the sum of \$250,000 shall be paid to the surviving spouse of each officer or, if not survived by a spouse, the surviving child or children or, if not survived by a spouse nor a child or children, the named beneficiary listed on the officer's beneficiary designation form or, if there is no designation form at the time of the officer's death, and no surviving spouse nor a child or children, then to the officer's estate. Each officer shall complete a beneficiary designation form. In addition, if the officer is survived by a dependent child or children, the sum shall be paid for each of the dependent children, such sums to be paid to the duly appointed and qualified tutor or the legal representative of the child or children.

Proposed law retains present law.

Proposed law provides that the surviving spouse or child of a law enforcement officer who is a

commissioned law enforcement officer and who is POST certified at the time of his death shall be entitled to the payments provided for in present law, if either of the following occur:

- (1) The officer was traveling to or from a public safety emergency or was responding to a request for law enforcement assistance regarding the health, safety, or welfare of the public.
- (2) The officer was traveling to or from his residence and his authorized work area while using a law enforcement vehicle provided by his employing agency.

Proposed law provides for retroactive application to any death of a POST certified commissioned law enforcement officer who died on or after Jan. 1, 2011.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 33:1947(A); Adds R.S. 33:2201(F))

#### Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Judiciary to the original bill.

1. Added an active (POST) certified peace officer, to be appointed by the governor, as a member of the Law Enforcement Officers and Firemen's Survivor Benefit Review Board.