

Regular Session, 2012

ACT No. 280

HOUSE BILL NO. 932

BY REPRESENTATIVE ANDERS

1 AN ACT

2 To amend and reenact R.S. 33:1947(A) and to enact R.S. 33:2201(F), relative to law
3 enforcement; to provide for a member of the Law Enforcement Officers and
4 Firemen's Survivor Benefit Review Board; to provide with respect to the eligibility
5 of the surviving spouses and children of certain deceased law enforcement officials
6 to receive benefits; to authorize that benefits may be paid if certain officers were in
7 the course of traveling at the time of death; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 33:1947(A) is hereby amended and reenacted and R.S. 33:2201(F)
10 is hereby enacted to read as follows:

11 §1947. Law Enforcement Officers and Firemen's Survivor Benefit Review Board;
12 payment of claims

13 A. There is hereby created, within the Department of Justice, the Law
14 Enforcement Officers and Firemen's Survivor Benefit Review Board, hereinafter
15 referred to as the "board", which shall consist of the attorney general, the legislative
16 auditor, and the state risk manager or their named designees. The board shall also
17 include an active (POST) certified peace officer as defined in R.S. 40:2402, to be
18 appointed by the governor. The board shall hear and decide by unanimous vote all
19 claims for survivor benefits within sixty days after documentation is received. The
20 board may request any information necessary to make a determination of eligibility
21 for survivor benefits. Nothing in this Section shall prevent the board from initiating
22 proceedings before being notified by the employing authority.

23 * * *

24 §2201. Financial security for surviving spouses and children of law enforcement
25 officers in certain cases

26 * * *

F. In addition to the provisions of Subsection A of this Section, the surviving spouse or child of a law enforcement officer who is a commissioned law enforcement officer and who is certified by the Council on Peace Officers Standards and Training at the time of his death shall be entitled to the payments provided for in Paragraph (C)(1) of this Section, 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.

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Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

Section 3. The provisions of this Act shall apply to any death of a commissioned law enforcement officer certified by the Council on Peace Officers Standards and Training which occurs on or after January 1, 2011.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____