

**SURVIVOR BENEFIT FOR SPOUSE
OF SLAIN POLICE OFFICER**

House Bill 4826
Sponsor: Rep. Scott Shackleton
Committee: Appropriations

Complete to 8-24-01

A SUMMARY OF HOUSE BILL 4826 AS INTRODUCED 5-24-01

The bill would create a new act to provide for payment of a \$100,000 survivor benefit to the surviving spouse or dependents, or the estate, of a law enforcement officer (not including a state trooper) who dies as a direct result of a personal injury sustained in the line of duty.

The bill would also allow an interim benefit of \$3,000 to be paid to the surviving spouse or dependents of a slain law enforcement officer, upon a showing of need, if it were determined that a benefit “probably” will be paid under the bill. An interim benefit would be deducted from any final benefit paid, and, if a final benefit is not paid because the death of the officer is determined not to be covered under the bill, the recipient would be liable for repayment of that amount. However, the bill specifies that the state could waive its right to repayment for all or part of the interim payment if substantial hardship would result to the recipient.

A benefit payment could not be paid under the bill if:

- The personal injury that resulted in death was caused by the intentional misconduct of the officer, or by the officer’s intent to bring about the injury;
- The officer was voluntarily intoxicated at the time of the injury;
- The officer was performing his or her duties in a grossly negligent manner at the time of the injury; or,
- The actions of an individual to whom the benefit would be paid substantially contributed to the officer’s injury.

The bill specifies that its benefit amounts would be adjusted annually to reflect changes in the consumer price index.

Payment of benefits under the bill would be subject to the appropriations of funds by the legislature.

Analyst: D. Martens

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