COMPENSATION OF INJURED PEACE OFFICERS

Act 329 of 1937

AN ACT providing for compensation to certain peace officers injured in active duty, and payment to surviving spouses and dependents in case of death arising from active duty; and to make an appropriation therefor.

History: 1937, Act 329, Imd. Eff. July 24, 1937 ;-- Am. 1939, Act 164, Imd. Eff. June 6, 1939 ;-- Am. 1941, Act 34, Eff. Jan. 10, 1942 ;-- Am. 1983, Act 210, Imd. Eff. Nov. 10, 1983

The People of the State of Michigan enact:

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419.101 Peace officers; disability, total, partial; compensation, maximum; medical care.

Sec. 1.

Any peace officer, either elective or appointive, of the state of Michigan, or of any political subdivision thereof, who shall suffer disability as a result of active duty in enforcing the laws of the state of Michigan, or of an adjoining state, shall, in addition to the compensation hereinafter provided be furnished reasonable medical, surgical and hospital services during the period or periods of such disability.

(a) During the period or periods such officer, by reason of such disability, is unable to earn any income, he shall be deemed to be totally disabled and shall receive the sum of $18.00 per week: Provided, however, That in cases where such peace officer shall be inducted into service temporarily and shall be disabled as a result of such temporary service, he shall be deemed to be totally disabled for such period of time as he shall be unable to earn wages or income from his regular employment or occupation.

(b) During the period or periods such officer, by reason of such disability, is able to earn less than his regular income, he shall be deemed to be partially disabled and shall receive as weekly compensation the difference between his average weekly wages or income before such disability starts, and the average weekly wages or income which he receives thereafter, not exceeding $18.00 per week: Provided, however, That in cases where such peace officer shall be inducted into service temporarily and shall be disabled as a result of such temporary service, he shall be deemed to be partially disabled for such period of time as he shall be unable to earn his regular wages or income from his regular employment or occupation.

Provided, That the total compensation to any such peace officer shall not exceed the total sum of $5,000.00.

History: 1937, Act 329, Imd. Eff. July 24, 1937 ;-- Am. 1939, Act 164, Imd. Eff. June 6, 1939 ;-- Am. 1941, Act 34, Eff. Jan. 10, 1942 ;-- CL 1948, 419.101

419.102 Peace officers; surviving spouse or dependents; compensation; last sickness and burial expenses.

Sec. 2.

The surviving spouse or dependents of a peace officer of this state or of a political subdivision of this state who is killed as the result of active duty in enforcing the laws of this state or the laws of an adjoining state shall receive the sum of $1,000.00 for defraying the

expense of last sickness and burial and $18.00 a week until a total sum of $5,000.00 is paid. As used in this section, (a) "surviving spouse" means the spouse of the peace officer, if living, and until remarriage (b) "dependent" means the children of the peace officer, if dependent; the mother, father, or both, of the peace officer, if dependent; and the brothers and sisters of the peace officer, if dependent; in the order named. If the peace officer does not leave a surviving spouse or any dependents as defined in this section, the estate of the peace officer shall receive the sum of $1,000.00 for the expense of the peace officer's last sickness and burial.

History: 1937, Act 329, Imd. Eff. July 24, 1937 ;-- Am. 1939, Act 164, Imd. Eff. June 6, 1939 ;-- CL 1948, 419.102 ;-- Am. 1983, Act 210, Imd. Eff. Nov. 10, 1983

419.103 Payment; appropriated funds; review of claims.

Sec. 3.

The amount provided for in this act shall be paid from the general fund of the state treasury, from money appropriated from said general fund for the fiscal year ending June 30, 1938, and every fiscal year thereafter, a sufficient sum to carry out the provisions of this act. The attorney general shall review all claims under this act and satisfy himself or herself of the merits of the claim before authorizing payment.

History: 1937, Act 329, Imd. Eff. July 24, 1937 ;-- Am. 1939, Act 164, Imd. Eff. June 6, 1939 ;-- CL 1948, 419.103 ;-- Am. 2002, Act 103, Imd. Eff. Mar. 27, 2002

419.104 Persons included and excluded from act; “peace officer” defined.

Sec. 4.

(1) This act applies only to a peace officer who suffers disability and to the surviving spouse, and dependents, elective or appointive, of a peace officer of this state, or of any political subdivision thereof, who is killed as the result of active duty in the enforcement of the laws of this state, or of an adjoining state.

(2) Any such peace officer, or the surviving spouse or dependents of the peace officer, who shall receive any insurance or benefit maintained for such peace officer, or his or her dependents, by any political subdivision of this state shall not come under the provisions of this act if the amount received by the peace officer, the surviving spouse or dependents is equivalent to the amount provided for by this act. If the amount is less than provided by this act, then the difference shall be paid from the appropriation provided therefor.

(3) As used in this section, "peace officer" includes the estate of the peace officer.

(4) This act does not apply to the Michigan state police, their spouses, or dependents.

History: 1937, Act 329, Imd. Eff. July 24, 1937 ;-- Am. 1939, Act 164, Imd. Eff. June 6, 1939 ;-- Am. 1943, Act 130, Imd. Eff. Apr. 13, 1943 ;-- CL 1948, 419.104 ;-- Am. 1955, Act 248, Eff. Oct. 14, 1955 ;-- Am. 1983, Act 210, Imd. Eff. Nov. 10, 1983

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