HLS 17RS-465 ENGROSSED

2017 Regular Session

HOUSE BILL NO. 85

1

BY REPRESENTATIVES PRICE, BACALA, BAGNERIS, BERTHELOT, BOUIE, DWIGHT, EDMONDS, RICHARD, AND SCHEXNAYDER

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

LAW ENFORCE/OFFICERS: Provides with respect to financial security for survivors of federal law enforcement officers

AN ACT

2	To enact R.S. 40:1665.2(B)(17) and (C)(4), relative to survivors of law enforcement officers
3	killed while performing their duties; to provide for financial benefits for survivors
4	of federal law enforcement agents killed in Louisiana; and to provide for related
5	matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. This Act shall be known as the "Deputy Marshal Josie Wells Act".
8	Section 2. R.S. 40:1665.2(B)(17) and (C)(4) are hereby enacted to read as follows:
9	§1665.2. Financial security for surviving spouses and children of law enforcement
10	officers in certain cases
11	* * *
12	B. Law enforcement officers, within the meaning of this Section, shall
13	include the following:
14	* * *
15	(17) Federal law enforcement officers or employees whose permanent duties
16	include making arrests, performing searches and seizures, execution of criminal
17	arrest warrants, and execution of civil seizure warrants.
18	* * *

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1 C. 2 3 (4) The provisions of Paragraph (1) of this Subsection apply to law 4 enforcement officers identified in Paragraph (B)(17) of this Section only if the injury 5 was sustained in Louisiana. 6 7 Section 3. This Act shall be given retroactive effect to March 1, 2015, and 8 prospective effect. 9 Section 4. This Act shall become effective upon signature by the governor or, if not 10 signed by the governor, upon expiration of the time for bills to become law without signature 11 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If 12 vetoed by the governor and subsequently approved by the legislature, this Act shall become

## **DIGEST**

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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effective on the day following such approval.

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Price

**Abstract:** Adds federal law enforcement officers killed in La. to those officers whose survivors are entitled to \$250,000 if the officer is killed in performing his duties.

<u>Present law</u> provides for payment of \$250,000 to the surviving spouse, child, or other beneficiary of a law enforcement officer who suffers death as a result of an injury arising out of and in the course of the performance of his official duties or arising out of any activity in his capacity as an officer in the protection of life and property. Specifies groups of law enforcement officers to whom <u>present law</u> is applicable. Provides that such payments are made from the state's self-insurance fund.

<u>Proposed law</u> provides that <u>present law</u> is applicable to federal law enforcement officers or employees whose permanent duties include making arrests, performing searches and seizures, execution of criminal arrest warrants, and execution of civil seizure warrants and who are injured while performing such duties in La.

<u>Proposed law</u> provides that <u>proposed law</u> shall be given retroactive effect to March 1, 2015, and prospective effect.

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

(Adds R.S. 40:1665.2(B)(17) and (C)(4))

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## Summary of Amendments Adopted by House

The Committee Amendments Proposed by <u>House Committee on Municipal, Parochial and Cultural Affairs</u> to the <u>original bill</u>:

- 1. Add provisions for retroactive effect and special effective date of the Act.
- 2. Name the Act.