

2024 Regular Session

SENATE BILL NO. 31

BY SENATOR WHEAT

PUBLIC EMPLOYEES. Increases survivor benefits for dependent children of firemen and law enforcement officers. (8/1/24)

1 AN ACT

2 To amend and reenact R.S. 40:1665(C)(1) and 1665.2(C)(1), relative to survivor benefits;  
3 to provide for survivor benefits for dependent children of firemen and law  
4 enforcement officers; to provide for terms and conditions; and to provide for related  
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:1665(C)(1) and 1665.2(C)(1) are hereby amended and reenacted  
8 to read as follows:

9 §1665. Financial security for surviving spouses and children of firemen in certain  
10 cases

11 \* \* \*

12 C.(1) In any case in which a fireman suffers death as a result of an injury  
13 arising out of and in the course of the performance of his official duties as a fireman,  
14 or arising out of any activity while on or off duty, in his capacity as a fireman, in the  
15 protection of life and property, the sum of two hundred fifty thousand dollars shall  
16 be paid to the surviving spouse of the fireman or, if not survived by a spouse, the  
17 sum of two hundred fifty thousand dollars shall be paid to the surviving child or

1 children or, if not survived by a spouse nor a child or children, then the sum of two  
 2 hundred fifty thousand dollars shall be paid to the named beneficiary listed on the  
 3 fireman's designation form or, if there is no beneficiary designation form at the time  
 4 of the fireman's death, and no surviving spouse nor a child or children, then the sum  
 5 of two hundred fifty thousand dollars shall be paid to the fireman's estate. Each  
 6 fireman shall complete a beneficiary designation form. In addition, if the fireman is  
 7 survived by a dependent child or children, the sum of ~~twenty-five~~ **fifty** thousand  
 8 dollars shall be paid for each of the dependent children, such sums to be paid to the  
 9 duly appointed and qualified tutor or the legal representative of the child or children.  
 10 Payment shall be made by the state risk manager out of the Self-Insurance Fund  
 11 created in R.S. 39:1533(A).

12 \* \* \*

13 §1665.2. Financial security for surviving spouses and children of law enforcement  
 14 officers in certain cases

15 \* \* \*

16 C.(1) In any case in which a law enforcement officer suffers death as a result  
 17 of any injury arising out of and in the course of the performance of his official duties  
 18 as such officer, or arising out of any activity, while on or off duty, in his capacity as  
 19 a law enforcement officer, in the protection of life or property, the sum of two  
 20 hundred fifty thousand dollars shall be paid to the surviving spouse of each officer  
 21 or, if not survived by a spouse, the sum of two hundred fifty thousand dollars shall  
 22 be paid to the surviving child or children or, if not survived by a spouse nor a child  
 23 or children, then the sum of two hundred fifty thousand dollars shall be paid to the  
 24 named beneficiary listed on the officer's beneficiary designation form or, if there is  
 25 no designation form at the time of the officer's death, and no surviving spouse nor  
 26 a child or children, then the sum of two hundred fifty thousand dollars shall be paid  
 27 to the officer's estate. Each officer shall complete a beneficiary designation form. In  
 28 addition, if the officer is survived by a dependent child or children, the sum of  
 29 ~~twenty-five~~ **fifty** thousand dollars shall be paid for each of the dependent children,

1 such sums to be paid to the duly appointed and qualified tutor or the legal  
2 representative of the child or children. Payment shall be made by the state risk  
3 manager out of the Self-Insurance Fund created in R.S. 39:1533(A).

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The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by Michelle Ridge.

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DIGEST  
SB 31 Engrossed                                  2024 Regular Session                                  Wheat

Present law provides for \$250,000 in survivor benefits to the spouse or other legal survivor  
of a fireman or law enforcement officer in certain circumstances.

Proposed law retains present law.

Present law provides that if a fireman or law enforcement officer has a dependent child or  
children, the sum of \$25,000 will be paid for each dependent child to the duly appointed and  
qualified tutor or legal representative of each child.

Proposed law increases the amount to be paid for each dependent child from \$25,000 to  
\$50,000.

Effective August 1, 2024.

(Amends R.S. 40:1665(C)(1) and 1665.2(C)(1))