

2018 Regular Session

HOUSE BILL NO. 107

BY REPRESENTATIVE BACALA

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

1 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, executing criminal arrest
17 warrants, and executing civil seizure warrants.

18 * * *

19 C.

20 * * *

1 (4) The provisions of Paragraph (1) of this Subsection apply to a law
2 enforcement officer identified in Paragraph (B)(17) of this Section only if the injury
3 was sustained in Louisiana while the officer was participating in the enforcement of
4 Louisiana laws.

5 * * *

6 Section 3. This Act shall be given retroactive effect to March 1, 2015, and
7 prospective effect.

8 Section 4. This Act shall become effective upon signature by the governor or, if not
9 signed by the governor, upon expiration of the time for bills to become law without signature
10 by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If
11 vetoed by the governor and subsequently approved by the legislature, this Act shall become
12 effective on the day following such approval.

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

Present law 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. Provides that such payments are made from the state's self-insurance fund. Specifies groups of law enforcement officers to whom present law is applicable.

Proposed law provides that present law is applicable to federal law enforcement officers or employees whose permanent duties include making arrests, performing searches and seizures, executing criminal arrest warrants, and executing civil seizure warrants and who are killed while enforcing La. law in La.

Proposed law provides that proposed law 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))

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.