

2020 Regular Session

SENATE BILL NO. 388

BY SENATOR FIELDS

LAW ENFORCEMENT. Provides relative to financial security for survivors of law enforcement officers. (8/1/20)

1 AN ACT

2 To amend and reenact R.S. 40:1665.2(C)(1), relative to law enforcement officers; to provide  
3 relative to benefits to be paid to the surviving spouse, children, beneficiary, or estate  
4 of law enforcement officers; to provide for lifetime death benefits for the surviving  
5 spouse of a law enforcement officer; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:1665.2(C)(1) is hereby amended and reenacted to read as follows:  
8 §1665.2. Financial security for surviving spouses and children of law enforcement  
9 officers in certain cases

10 \* \* \*

11 C.(1) In any case in which a law enforcement officer suffers death as a result  
12 of any injury arising out of and in the course of the performance of his official duties  
13 as such officer, or arising out of any activity, while on or off duty, in his capacity as  
14 a law enforcement officer, in the protection of life or property, the surviving spouse,  
15 even after remarriage, shall be eligible for and shall be paid a death benefit for  
16 life if the employee was a law enforcement officer who was killed in the line of  
17 duty. In addition to a lifetime death benefit, the sum of two hundred fifty

1 thousand dollars shall be paid to the surviving spouse of each officer or, if not  
 2 survived by a spouse, the sum of two hundred fifty thousand dollars shall be paid to  
 3 the surviving child or children or, if not survived by a spouse nor a child or children,  
 4 then the sum of two hundred fifty thousand dollars shall be paid to the named  
 5 beneficiary listed on the officer's beneficiary designation form or, if there is no  
 6 designation form at the time of the officer's death, and no surviving spouse nor a  
 7 child or children, then the sum of two hundred fifty thousand dollars shall be paid to  
 8 the officer's estate. Each officer shall complete a beneficiary designation form. In  
 9 addition, if the officer is survived by a dependent child or children, the sum of  
 10 twenty-five thousand dollars shall be paid for each of the dependent children, such  
 11 sums to be paid to the duly appointed and qualified tutor or the legal representative  
 12 of the child or children. Payment shall be made by the state risk manager out of the  
 13 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 Yoursheka George.

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Present law provides financial security for surviving spouses and children of law enforcement officers who suffer death while on or off duty.

Present law defines law enforcement officers.

Present law provides that a sum of \$250,000 will be paid from the Self-Insurance Fund to a surviving spouse, child or children, beneficiary, or the officer's estate as provided by law. Present law provides that a sum of \$25,000 shall be paid from the Self-Insurance Fund to each dependent child.

Proposed law provides that in addition to the lump sum payments provided in present law, the surviving spouse of a law enforcement officer who suffers death in the line of duty shall receive death benefits for life. Proposed law provides that the eligible surviving spouse will continue to receive death benefits after remarriage.

Effective August 1, 2020.

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