

RÉSUMÉ DIGEST

ACT 475 (HB 608)

2021 Regular Session

Gaines

New law establishes as public policy of the Dept. of Transportation and Development (DOTD) the provision of financial security to the families of deceased DOTD workers who suffer death as a result of any injury arising out of a hazardous situation, while in the course and scope of employment.

New law specifies death benefits are conditioned on survivors waiver or liability.

New law requires the payment of \$100,000 in death benefits to the surviving spouse of a DOTD worker who suffers death as a result of any injury arising out of a hazardous situation, while in the course and scope of employment.

New law specifies that in absence of a surviving spouse, the child or children of a DOTD worker who suffers death as a result of any injury arising out of a hazardous situation, while in the course and scope of employment, and that is not the result of an intentional act, will be paid \$100,000 in death benefits.

New law specifies that in absence of a surviving spouse, the child or children or the named beneficiary of a DOTD worker who suffers death as a result of any injury arising out of a hazardous situation, while in the course and scope of employment, will be paid \$100,000 in death benefits.

New law specifies that in absence of a surviving spouse, the child or children, or a named beneficiary, the estate of a DOTD worker who suffers death as a result of any injury arising out of a hazardous situation, while in the course and scope of employment, will be paid \$100,000 in death benefits.

New law requires that the \$100,000 death benefit payment be paid out of the Transportation Trust Fund. Requires that all recipients of the death benefit waive all rights to sue the department.

New law requires the department promulgate rules as necessary to implement provisions of new law.

Effective upon signature of governor (June 29, 2021).

(Adds R.S. 48:2211)