



**LEGISLATIVE FISCAL OFFICE  
Fiscal Note**

Fiscal Note On: **HB 123** HLS 22RS 570  
 Bill Text Version: **ORIGINAL**  
 Opp. Chamb. Action:  
 Proposed Amd.: **w/ PROP HSE COMM AMD**  
 Sub. Bill For.:

<b>Date:</b> March 29, 2022 2:28 PM	<b>Author:</b> JOHNSON, MIKE
<b>Dept./Agy.:</b> State Military Affairs (LA National Guard) & Veteran Affairs	<b>Analyst:</b> Monique Appearing
<b>Subject:</b> Disability Benefits	

VETERANS OR SEE FISC NOTE GF EX Page 1 of 1  
 Provides relative to the Louisiana National Guard death and disability benefits

Proposed law relative to the Louisiana National Guard, provides for definition, to provide for disability claims and death benefits, provides for availability of disability benefits; provides for subsequent disabilities and related matters. Proposed law amends the definition of "guardsman or guardsmen" by adding "who was discharged or released from all periods of federal and state service under honorable or general under honorable conditions." Proposed law adds the definition "initial rating decision" means the first disability rating decision by the United States Department of Veterans Affairs (USDVA) on the guardsman's first-filed claim for service-connection of injuries. Proposed law adds to the "period of activation" means "service during any declared national emergency or contingency operations as defined by 10 U.S.C. 101(a)(13), or during any state emergency declared by the governor of the state of Louisiana. Proposed law retains present law and provides that both a guardsman's initial rating decision and any subsequent rating decision shall be included in the documentation for a disability benefit claims. Proposed law retains present law and provides that a guardsman or his beneficiary shall be paid \$50,000 in benefits for a subsequent disability instead of a subsequent examination. Proposed law retains present law and gives the USDVA or the proper adjudicatory state entity the additional options of determining what is a qualifying subsequent disability.

<b>EXPENDITURES</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>	<b>2025-26</b>	<b>2026-27</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b><u>\$0</u></b>
<b>Annual Total</b>						
<b>REVENUES</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>	<b>2025-26</b>	<b>2026-27</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b><u>\$0</u></b>
<b>Annual Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**EXPENDITURE EXPLANATION**

Proposed law with proposed amendment may result in an indeterminable increase in expenditures to the Louisiana Department of Veteran Affairs (LDVA) to the extent an eligible guardsman is awarded disability benefits. The \$100,000 disability benefit is awarded to eligible guardsmen who receive a 100% total and permanent disability rating from injuries incurred in eligible periods of activation and claimed and service-connected in their initial rating decision from the U.S. Department of Veteran Affairs (USVA). The \$50,000 disability benefit, created by the legislature in 2020, is awarded to eligible guardsmen who initial injuries progressed or worsened to a 100% total and permanent disability rating after the initial examination or rating based on specific parameters. To the extent proposed law results in one (1) full disability awarded to a veteran, the fiscal impact is \$100,000 and to the extent it impacts two (2) partial disability awards to veterans, the impact is \$50,000 per award for a total of \$100,000.

Proposed law with proposed amendment will have no expenditure impact to the Louisiana National Guard (LNG) for disability benefits because the LNG reports that disability benefits are paid by the Louisiana Department of Veteran Affairs.

Proposed law with proposed amendment defines "guardsman or guardsmen" as **a person who was an officer or enlisted member of the Louisiana National Guard and, for purposes of this Section's disability benefit, who was discharged or released from all periods of federal and state service under honorable or general under honorable conditions.**

**REVENUE EXPLANATION**

There is no anticipated direct material effect on governmental revenues as a result of this measure.

Senate Dual Referral Rules  
 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}  
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House  
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}  
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

*Evan Brasseaux*  
 Evan Brasseaux  
 Interim Deputy Fiscal Officer