HLS 24RS-285 ORIGINAL

2024 Regular Session

HOUSE BILL NO. 61

1

BY REPRESENTATIVE HORTON

VETERANS: Provides relative to National Guard death and disability benefits

AN ACT

2	To amend and reenact R.S. 29:26.1(B)(9) and (D)(1), relative to the Louisiana National
3	Guard; to provide relative to definitions; to provide relative to death and disability
4	benefits; to change the qualifying period for benefits; and to provide for related
5	matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. 29:26.1(B)(9) and (D)(1) are hereby amended and reenacted to read
8	as follows:
9	§26.1. National Guard death and disability benefits
10	* * *
11	B. Definitions. As used in this Section, the following terms shall have the
12	following meanings unless a different meaning is clearly required by context:
13	* * *
14	(9) "Period of activation" means service during any declared national
15	emergency or contingency operations as defined by 10 U.S.C. 101(a)(13), or during
16	any state of emergency declared by the governor of the state of Louisiana, within any
17	of the following:
18	(a) That period, subsequent to September 11, 2001, for which the governor
19	of the state of Louisiana orders a guardsman into state active service pursuant to R.S.
20	<del>29:7.</del>

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	(b) That period, subsequent to September 11, 2001, for which the president
2	of the United States orders a guardsman into active military duty, pursuant to 32
3	<del>U.S.C. 502(f)(1).</del>
4	(c) That period, subsequent to September 11, 2001, for which the president
5	of the United States orders a guardsman to federal active duty pursuant to 10 U.S.C.
6	<del>12301, 12302, or 12303</del> .
7	* * *
8	D. Benefits available. (1) During periods of activation, subsequent to
9	September 11, 2001, of a guardsman ordered by the governor or by the president of
10	the United States, benefits in a lump-sum amount of two hundred fifty thousand
11	dollars for a qualifying death, one hundred thousand dollars for a qualifying
12	disability, and fifty thousand dollars for a qualifying subsequent disability shall be
13	paid by the state to a guardsman or his beneficiary, when such death or disability
14	occurs during a period of activation in the line of duty as required by this Section.
15	Such benefits shall be paid only when funds are available, having been appropriated
16	for the purpose.
17	* * *

## 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)]

HB 61 Original

2024 Regular Session

Horton

**Abstract:** Changes the qualifying period for death and disability benefits for Louisiana National Guardsmen or their beneficiaries.

<u>Present law</u> provides for death and disability benefits for members of the La. National Guard or their beneficiaries.

<u>Present law</u> provides for benefits for death and disability incurred during a period of activation, subsequent to September 11, 2001, in the line of duty to a guardsman or his beneficiary.

<u>Proposed law</u> retains <u>present law</u> but removes the qualifying period of post September 11, 2001, and modifies the definition of "period of activation".

(Amends R.S. 29:26.1(B)(9) and (D)(1))

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