

Existing law provides for payment of \$250,000 to the wife, children, beneficiary, or estate of a fireman or law enforcement officer who dies 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, while on or off duty, in his capacity as a fireman or law enforcement officer in the protection of life and property. Further provides for payment of \$25,000 to each dependent child of such a deceased fireman or law enforcement officer. Defines fireman and law enforcement officer for this purpose. Provides that such payments are made by the state risk manager out of the Self-Insurance Fund created by existing law.

New law establishes an irrebuttable presumption that a fireman whose death is the direct and proximate result of a heart attack or a stroke died as the direct and proximate result of an injury sustained in the performance of his official duties, thereby making his survivors eligible for payment pursuant to existing law, if, while on duty, the fireman engages in a stressful or physical activity, including emergency response activity or participates in a stressful or strenuous physical training exercise and the heart attack or stroke occurs while he is engaged in the activity, while he is on duty after engaging in the activity, or no later than 24 hours after the activity.

New law adds enforcement and emergency services personnel of the office of the state fire marshal to law enforcement officers whose survivors are eligible for payments pursuant to existing law.

Effective Aug. 1, 2014.

(Amends R.S. 33:2201(B)(intro. para.); Adds R.S. 33:1981.1 and 2201(B)(22))