

STATE GOVERNMENT
FILED FEB 17 2000

SENATE FILE 2202
BY SHEARER, FRAISE, HORN,
SOUKUP, BOLKCOM, JUDGE,
and DVORSKY

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act providing a line of duty death benefit under the municipal
2 fire and police retirement system and including a retroactive
3 applicability provision and effective date.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 2202 STATE GOVERNMENT

1 Section 1. Section 411.6, Code 1999, is amended by adding the
2 following new subsection:

3 NEW SUBSECTION. 14. LINE OF DUTY DEATH BENEFIT.

4 a. If, upon the receipt of evidence and proof from the
5 chief of the police or fire department that the death of a
6 member in service was the direct and proximate result of a
7 traumatic personal injury incurred in the line of duty, the
8 system decides that death was so caused, there shall be paid,
9 in addition to any accidental death benefits provided in
10 subsection 9, to the member's estate or to such person having
11 an insurable interest in the member's life as the member has
12 nominated by written designation duly executed and filed with
13 the system, the amount of one hundred thousand dollars, which
14 shall be payable in a lump sum.

15 b. A line of duty death benefit shall not be payable under
16 this subsection if any of the following applies:

17 (1) The death resulted from stress, strain, occupational
18 illness, or a chronic, progressive, or congenital illness,
19 including, but not limited to, a disease of the heart, lungs,
20 or respiratory system, unless a traumatic personal injury was
21 a substantial contributing factor to the member's death.

22 (2) The death was caused by the intentional misconduct of
23 the member or by the member's intent to cause the member's own
24 death.

25 (3) The member was voluntarily intoxicated at the time of
26 death.

27 (4) The member was performing the member's duties in a
28 grossly negligent manner at the time of death.

29 (5) An individual who would otherwise be entitled to a
30 benefit under this subsection was, through the individual's
31 actions, a substantial contributing factor to the member's
32 death.

33 Sec. 2. RETROACTIVE APPLICABILITY. This Act applies
34 retroactively to any traumatic personal injury occurring on or
35 after January 1, 1992, which causes death, as described in

