

SENATE FILE 140
BY KIBBIE, DRAKE, and COURTNEY

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

A BILL FOR

1 An Act relating to eligible beneficiaries for a line of duty
2 death benefit under the statewide fire and police retirement
3 system and providing effective and applicability dates.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 140
STATE GOVERNMENT

1 Section 1. Section 411.6, subsection 15, paragraph a, Code
2 2003, is amended to read as follows:

3 a. If, upon the receipt of evidence and proof from the
4 chief of the police or fire department that the death of a
5 member in service was the direct and proximate result of a
6 traumatic personal injury incurred in the line of duty, the
7 system decides that death was so caused, there shall be paid,
8 to a person authorized to receive an accidental death benefit
9 as provided in subsection 9, paragraph "b", the amount of one
10 hundred thousand dollars, which shall be payable in a lump
11 sum. However, for purposes of this subsection, a child who no
12 longer meets the definition of child in section 411.1 shall be
13 eligible to receive a line of duty death benefit pursuant to
14 this subsection.

15 Sec. 2. EFFECTIVE DATE -- RETROACTIVE APPLICABILITY. This
16 Act, being deemed of immediate importance, takes effect upon
17 enactment and is retroactively applicable to July 1, 2002, and
18 is applicable to covered deaths occurring on and after that
19 date.

20 EXPLANATION

21 This bill modifies the eligible beneficiaries for the
22 \$100,000 line of duty death benefit for a person covered under
23 the statewide fire and police retirement system established in
24 Code chapter 411. Currently, a line of duty death benefit is
25 payable as provided for an accidental death benefit and goes
26 to the following in decreasing order: the member's spouse,
27 the member's minor children, or the member's parents. The
28 bill provides that a member's adult child or children are
29 eligible to receive a line of duty death benefit.

30 The bill takes effect upon enactment and applies
31 retroactively to deaths occurring on or after July 1, 2002.

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