2020 Regular Session

HOUSE BILL NO. 70

BY REPRESENTATIVE MIKE JOHNSON

MILITARY AFFAIRS: Provides relative to National Guard death and disability benefits and qualifying subsequent examination

1	AN ACT
2	To amend and reenact R.S. 29:26.1(D)(1) and to enact R.S. 29:26.1(B)(11), relative to
3	National Guard death and disability benefits; to provide for qualifying subsequent
4	examinations; to define "qualifying subsequent examination"; and to provide for
5	related matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. 29:26.1(D)(1) is hereby amended and reenacted and R.S.
8	29:26.1(B)(11) is hereby enacted to read 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	(11) "Qualifying subsequent examination" means after initial examination
15	or rating, the guardsman's initial injuries progressed or worsened causing the
16	guardsman to receive one hundred percent permanent total disability rating, or a
17	permanent and total unemployability disability rating as determined by the United
18	States Department of Veterans Affairs.
19	* * *

Page 1 of 2

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

1	D. Benefits available. (1) During periods of activation, subsequent to
2	September 11, 2001, of a guardsman ordered by the governor or by the president of
3	the United States, benefits in a lump-sum amount of two hundred fifty thousand
4	dollars for a qualifying death, and one hundred thousand dollars for a qualifying
5	disability, and fifty thousand dollars for qualifying subsequent examination shall be
6	paid by the state to a guardsman or his beneficiary, when such death or disability
7	occurs during a period of activation in the line of duty as required by this Section.
8	Such benefits shall be paid only when funds are available, having been appropriated
9	for the purpose.
10	* * *

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 70 Original

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Mike Johnson

Abstract: Amends National Guard death and disability benefits to provide compensation to the guardsman or beneficiary for qualifying subsequent examinations for progressive disability.

<u>Present law</u> provides for benefits of \$250,000 for death and \$100,000 for disability incurred during a period of activation in the line of duty to a guardsman or his beneficiary.

<u>Proposed law</u> provides for \$50,000 per qualifying subsequent examination if the guardsman's initial injuries progressed or worsened to the extent of 100% permanent total disability or a permanent and total unemployability disability rating.

(Amends R.S. 29:26.1(D)(1); Adds R.S. 29:26.1(B)(11))