

BILL ANALYSIS

Senate Research Center

S.B. 482
By: Madla
State Affairs
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Enrolled

DIGEST AND PURPOSE

Under current law, the survivors of certain law enforcement officers, firefighters, and other individuals killed in the line of duty are eligible for financial assistance. In 2002, the 107th United States Congress passed a law providing benefits to the survivors of police and fire chaplains. S.B. 482 mirrors the new federal law by adding the survivors of certain police and fire chaplains killed in the line of duty to those individuals who are eligible for certain state benefits.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 615.003, Government Code, by adding Subdivision (14) to add the eligible survivors of chaplains of certain fire fighting units, law enforcement agencies, or the Texas Department of Criminal Justice (TDCJ) to the list of individuals who may benefit from the provisions of this chapter.

SECTION 2. Amends Section 615.021, Government Code, by amending Subsections (a) and (c) and adding Subsections (d) and (e), as follows:

- (a) Clarifies the context in which a person is considered to have died as a result of an injury sustained in the line of duty.
- (c) Makes conforming changes.
- (d) Provides that, in a determination of whether the survivor of an individual listed under Section 615.003 is eligible for the payment of assistance under this chapter, any reasonable doubt arising from the circumstances of the individual's death is required to be resolved in favor of the payment of assistance to the survivor.
- (e) Defines "personal injury" and "line of duty."

SECTION 3. Amends Section 615.072, Government Code, to make conforming changes regarding an individual listed under Section 615.071.

SECTION 4. Amends Subsection (b), Section 615.105, Government Code, to make conforming changes.

SECTION 5. Amends Section 615.121, Government Code, by adding Subsection (f) to define "line of duty."

SECTION 6. Amends Section 811.001, Government Code, by amending Subdivision (12) and adding Subdivision (12-a) to define "occupational disability" and "occupational death" separately.

SECTION 7. Makes application of this Act prospective.

SECTION 8. Effective date: September 1, 2003.