

By: Flores

H.B. No. 1323

A BILL TO BE ENTITLED

AN ACT

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relating to the benefits provided to eligible survivors of certain public servants killed in motor vehicle accidents in the line of duty.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 615.021(a), Government Code, is amended to read as follows:

(a) A survivor of an individual listed under Section 615.003 is eligible for the payment of assistance under this chapter if:

(1) the listed individual died in the course of the individual's duty performed in the individual's position as described by Section 615.003 as a result of:

(A) exposure to a risk:

(i) [~~(A)~~] that is inherent in the duty; or

(ii) [~~(B)~~] to which the general public is not customarily exposed; or

(B) a motor vehicle accident; and

(2) the survivor is:

(A) the surviving spouse of the listed individual;

(B) a surviving child of the listed individual, if there is no surviving spouse; or

(C) a surviving parent of the listed individual, if there is no surviving spouse or child.

1 SECTION 2. Section 615.072, Government Code, is amended to
2 read as follows:

3 Sec. 615.072. ELIGIBLE SURVIVORS. A survivor of an
4 individual listed under Section 615.071 is eligible for the health
5 insurance benefits provided under this subchapter if:

6 (1) the listed individual died in the course of the
7 individual's duty performed in the individual's position as
8 described by Section 615.071 as a result of:

9 (A) exposure to a risk:

10 (i) [~~(A)~~] that is inherent in the duty; or

11 (ii) [~~(B)~~] to which the general public is
12 not customarily exposed; or

13 (B) a motor vehicle accident; and

14 (2) the survivor is:

15 (A) the surviving spouse of the listed
16 individual; or

17 (B) a dependent of the listed individual.

18 SECTION 3. The changes in law made by this Act to Sections
19 615.021 and 615.072, Government Code, relating to the death of
20 certain public servants, apply only in relation to a death that
21 occurs on or after the effective date of this Act. Matters regarding
22 eligibility, payment, and benefits under Sections 615.021 and
23 615.072, Government Code, in relation to a death that occurs before
24 the effective date of this Act, are governed by the law in effect
25 when the death occurs, and the former law is continued in effect for
26 that purpose.

27 SECTION 4. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as
2 provided by Section 39, Article III, Texas Constitution. If this
3 Act does not receive the vote necessary for immediate effect, this
4 Act takes effect September 1, 2003.