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H.B. No. 1094

A BILL TO BE ENTITLED

AN ACT

1
2 relating to certain death benefits for survivors of certain law
3 enforcement officers, firefighters, and others killed in the line
4 of duty.

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

6 SECTION 1. Section 615.022, Government Code, is amended to
7 read as follows:

8 Sec. 615.022. PAYMENT TO SURVIVORS. (a) If there is an
9 eligible surviving spouse, the state shall pay \$500,000 [~~\$250,000~~]
10 to the eligible surviving spouse.

11 (b) If there is no eligible surviving spouse, the state
12 shall pay \$500,000 [~~\$250,000~~] in equal shares to surviving
13 children.

14 (c) If there is no eligible surviving spouse or child, the
15 state shall pay \$500,000 [~~\$250,000~~] in equal shares to surviving
16 parents.

17 SECTION 2. Sections 615.023(a) and (b), Government Code,
18 are amended to read as follows:

19 (a) The state shall pay to the duly appointed or qualified
20 guardian or other legal representative of an eligible surviving
21 minor child:

22 (1) \$400 [~~\$200~~] each month, if there is one surviving
23 child;

24 (2) \$600 [~~\$300~~] each month, if there are two surviving

1 children; or

2 (3) \$800 [~~\$400~~] each month, if there are three or more
3 surviving children.

4 (b) A child's entitlement to assistance payable under this
5 section ends on the last day of the month that includes the child's
6 18th birthday. At that time, payments to any other surviving minor
7 children shall be adjusted, as necessary, to conform to the amounts
8 payable under Subsection (a).

9 SECTION 3. Section [408.183](#), Labor Code, is amended by
10 adding Subsection (b-1) to read as follows:

11 (b-1) Notwithstanding Subsection (b), an eligible spouse
12 who remarried is eligible for death benefits for life if the
13 employee was a first responder, as defined by Section [504.055](#), who
14 suffered death in the course and scope of employment or while
15 providing services as a volunteer.

16 SECTION 4. The changes in law made by this Act to Sections
17 [615.022](#) and [615.023](#), Government Code, apply in relation to a
18 payment of assistance made to survivors of certain public servants
19 on or after the effective date of this Act regardless of the date
20 the death of the public servant occurs.

21 SECTION 5. The change in law made by this Act to Section
22 [408.183](#), Labor Code, applies only to a claim for workers'
23 compensation benefits based on a compensable injury that occurs on
24 or after the effective date of this Act. A claim based on a
25 compensable injury that occurs before that date is governed by the
26 law as it existed on the date the compensable injury occurred, and
27 the former law is continued in effect for that purpose.

1 SECTION 6. This Act takes effect September 1, 2015.