

Representative Paul Ray proposes the following substitute bill:

NATIONAL GUARD DEATH BENEFIT AMENDMENTS

2016 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Paul Ray

Senate Sponsor: Peter C. Knudson

LONG TITLE

General Description:

This bill provides for a death gratuity for the next of kin of a National Guard member who dies while on state active duty.

Highlighted Provisions:

This bill:

► provides for a \$100,000 death gratuity for the next-of-kin of a National Guard member who dies while on state active duty.

Money Appropriated in this Bill:

→ This bill appropriates:

► to the National Guard Death Benefit Account, as an ongoing appropriation from the General Fund, \$9,500. ←

None

Other Special Clauses:

None

Utah Code Sections Affected:

→ ENACTS:

39-1-59.5, Utah Code Annotated 1953 ←

REPEALS AND REENACTS:

39-1-59, as last amended by Laws of Utah 2011, Chapter 366



23 *Be it enacted by the Legislature of the state of Utah:*

23a **H→ Section 1. Section 39-1-59.5 is enacted to read:**

23b **39-1-59.5. National Guard Death Benefit Restricted Account.**

23c **(1) There is created within the General Fund a restricted account known as "National**

23d **Guard Death Benefit Account."**

23e **(2) (a) The restricted account shall be funded from funds appropriated by the**

23f **Legislature.**

23g **(b) Funds in the restricted account may only be used to pay the death benefit**

23h **authorized in Section 39-1-59.**

23i **(c) The restricted account may accrue interest which shall be deposited into the**

23j **restricted account.**

23k **(d) At the close of any fiscal year, any balance in the fund in excess of \$2,000,000 shall**

23l **be transferred to the General Fund. ←H**

24 Section 1. Section 39-1-59 is repealed and reenacted to read:

25 **39-1-59. Compensation for injury or death.**

26 Within 72 hours of the reported death of a member of the National Guard on state
27 active duty, the state shall provide a death gratuity payment of \$100,000 to:

28 (1) the person designated as the recipient of the member's unpaid pay and allowances
29 in the member's service record; or

30 (2) if no one is designated, the designated person cannot be found, or the designated
31 person has predeceased the member, the member's heirs in accordance with Title 75, Chapter 2,
32 Part 1, Intestate Succession.

32a **Ĥ→ Section 2. Appropriation.**

32b **Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, for**
32c **the fiscal year beginning July 1, 2016 and ending June 30, 2017, the following sums of money**
32d **are appropriated from resources not otherwise appropriated, or reduced from amounts**
32e **previously appropriated, out of the funds or amounts indicated. These sums of money are in**
32f **addition to amounts previously appropriated for fiscal year 2017.**

32g **To the National Guard Death Benefit Account as an ongoing appropriation**

32h **From the General Fund \$9,500 ←Ĥ**