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HOUSE BILL NO. 1346

Offered January 25, 1994

A BILL to amend and reenact §§ 15.1-136.3, 15.1-136.5:1 and 15.1-136.6:1 of the Code of Virginia, relating to the line of duty act.

Patrons—Rollison, Albo, Baker, Callahan, Cooper, Cranwell, Crittenden, Croshaw, Crouch, Cunningham, Dillard, Dudley, Fisher, Forbes, Griffith, Hamilton, Howell, Hull, Jackson, Jones, J.C., Katzen, Keating, Kidd, Kilgore, Marshall, McDonnell, Miller, O'Brien, Parrish, Purkey, Robinson, Sherwood, Shuler, Stump, Thomas, Wagner, Way, Wilkins and Woodrum; Senators: Bell, Colgan, Marye, Miller, K.G., Robb, Stolle, Stosch, Trumbo and Woods

Referred to Committee on Appropriations

Be it enacted by the General Assembly of Virginia:

1. That §§ 15.1-136.3, 15.1-136.5:1 and 15.1-136.6:1 of the Code of Virginia are amended and reenacted as follows:

§ 15.1-136.3. Payments to beneficiaries of certain deceased law-enforcement officers, firemen, etc.

In gratitude to and in recognition of every deceased for his sacrifice on behalf of the people of this Commonwealth, his beneficiary shall be entitled to receive the sum of \$25,00050,000, which shall be payable out of the general fund of the state treasury.

§ 15.1-136.5:1. Order of Comptroller.

If it shall appear to the Comptroller that the requirements of this article shall have been satisfied, he shall issue his warrant for the payment out of the general fund of the state treasury the sum of \$25,00050,000 in the aggregate, to the surviving spouse or to such persons and subject to such conditions as may be proper in his administrative discretion and in the event there is no beneficiary, the Comptroller shall issue such payment to the estate of the deceased.

§ 15.1-136.6:1. Appeal from decision of Comptroller.

Any beneficiary aggrieved by the decision of the Comptroller shall present a petition to the court in which the will of the deceased is probated or in which the personal representative of the deceased is qualified or might qualify. The court will proceed as chancellor without a jury. If it shall appear to the court that the requirements of this article shall have been satisfied, the judge thereof shall enter a proper order to that effect, which order also shall direct the Comptroller to issue his warrant for the payment out of the general fund of the state treasury the sum of \$25,00050,000 in the aggregate to such persons and subject to such conditions as may be proper and in the event there is no beneficiary, the judge shall direct such payment to the estate of the deceased.

INTRODUCED

HB1346