

Department of Planning and Budget 2012 Fiscal Impact Statement

1. Bill Number: SB441

House of Origin ☐ Introduced ☒ Substitute ☐ Engrossed
Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Obenshain

3. Committee: Appropriations

4. Title: Special funds for families; Line of Duty Act.

5. Summary: The bill directs the State Comptroller to expedite payments for burial expenses for persons who die while serving in the line of duty (as defined by the Line of Duty Act, LODA § 9.1-400, et. seq.).

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary.

8. Fiscal Implications: This bill would expedite payments to the family members, upon their request, for burial expenses for a person whose death is determined to have been a direct and proximate result of their performance in the line of duty. Specifically, the bill authorizes the State Comptroller to release payments to a funeral service provider for burial costs not to exceed \$10,000 and transportation costs not to exceed \$1,000.

Funds for these burial expenses are to be advanced from a death benefit due to the individual if it is determined that they qualify for line of duty coverage in accordance with the LODA. In the event that a determination is made that the death is not subject to LODA, the Virginia Retirement System or other retirement fund to which the deceased is a member shall reimburse the State Comptroller for expenses paid out of benefits otherwise due to the beneficiaries of the deceased. In the event that no retirement benefits are due to the beneficiaries of the individual, the bill grants the State Comptroller the right to file a claim with the Virginia Workers' Compensation Commission against any employer to recover burial and related transportation expenses.

9. Specific Agency or Political Subdivisions Affected: State Comptroller (Department of Accounts), Virginia Retirement System, Workers' Compensation Commission.

10. Technical Amendment Necessary: No.

11. Other Comments: Item 268 F. of SB30 provides identical language to that of the substitute version of this bill.

Date: 1/26/2012