

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 717

Introduced by Morfeld, 46.

Read first time January 05, 2022

Committee: Business and Labor

- 1 A BILL FOR AN ACT relating to the In the Line of Duty Compensation Act;
- 2 to amend section 81-8,317, Revised Statutes Supplement, 2021; to
- 3 change the amount of compensation under the act; and to repeal the
- 4 original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 81-8,317, Revised Statutes Supplement, 2021, is
2 amended to read:

3 81-8,317 (1) If a public safety officer is killed in the line of
4 duty, compensation shall be paid as provided in the In the Line of Duty
5 Compensation Act to recognize the ultimate sacrifice made by such public
6 safety officer.

7 (2) The amount of compensation to be paid under the act shall be as
8 follows:

9 (a) For deaths occurring during calendar year 2022, the amount of
10 such compensation shall be two hundred fifty thousand dollars; and

11 (b) For deaths occurring in calendar year 2023 and each calendar
12 year thereafter, the amount of such compensation shall be equal to the
13 compensation amount from the previous calendar year increased by the
14 percentage increase, if any, in the Consumer Price Index for All Urban
15 Consumers, as published by the United States Department of Labor, Bureau
16 of Labor Statistics, for the twelve months ending on June 30 of such
17 previous calendar year.

18 (3) The person entitled to receive such compensation shall be
19 determined as follows:

20 (a) If the public safety officer designated a person to receive the
21 compensation in accordance with subsection (4) of this section, the
22 compensation shall be paid to the designated person; or

23 (b) If no person is designated by the public safety officer or if
24 the designated person is not alive at the death of the public safety
25 officer, the compensation shall be paid in accordance with the laws of
26 this state regarding intestate succession.

27 (4) The Risk Manager shall prescribe a form that may be used by a
28 public safety officer to designate a person to receive the compensation.
29 The public safety officer shall file such form with his or her employer
30 or, if he or she is a volunteer, with the entity for which the volunteer
31 service is provided.

1 (5) Amounts paid under the In the Line of Duty Compensation Act
2 shall not be considered:

3 (a) Compensation under the County Employees Retirement Act, the
4 Judges Retirement Act, the Nebraska State Patrol Retirement Act, the
5 School Employees Retirement Act, the State Employees Retirement Act, or
6 any other retirement plan administered by the Public Employees Retirement
7 Board and shall not be eligible for deferral under any deferred
8 compensation plan administered by the Public Employees Retirement Board;
9 or

10 (b) Regular pay or salary under the Police Officers Retirement Act
11 or sections 16-1020 to 16-1042.

12 (6) An employer of the public safety officer shall not have any
13 right of subrogation under section 48-118 with respect to compensation
14 paid under the In the Line of Duty Compensation Act.

15 Sec. 2. Original section 81-8,317, Revised Statutes Supplement,
16 2021, is repealed.