

MAR 7 2006
Place On Calendar

HOUSE FILE 2665
BY COMMITTEE ON STATE
GOVERNMENT

(SUCCESSOR TO HF 2172)

Passed House, Date 3-21-06 Passed Senate, Date 4-4-06
Vote: Ayes 99 Nays 0 Vote: Ayes 50 Nays 0
Approved April 26, 2006

A BILL FOR

1 An Act concerning the line of duty death benefit payable to
2 public safety providers.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2665

1 Section 1. Section 97A.6, subsection 16, paragraph b, Code
2 Supplement 2005, is amended by adding the following new
3 subparagraph:

4 NEW SUBPARAGRAPH. (6) The death qualifies for a volunteer
5 emergency services provider death benefit pursuant to section
6 100B.11.

7 Sec. 2. Section 97B.52, subsection 2, paragraph b, Code
8 2005, is amended by adding the following new subparagraph:

9 NEW SUBPARAGRAPH. (6) The death qualifies for a volunteer
10 emergency services provider death benefit pursuant to section
11 100B.11.

12 Sec. 3. Section 100B.11, subsection 3, Code 2005, is
13 amended to read as follows:

14 3. For purposes of this section, "volunteer emergency
15 services provider" means a any of the following:

16 a. A volunteer fire fighter as defined in section 85.617

17 a.

18 b. A volunteer person performing the functions of an
19 emergency medical care provider or volunteer emergency rescue
20 technician as defined in section 147A.1 who is-not-covered-as
21 a-volunteer-emergency-services-provider-under-chapter-97A,
22 97B,-or-4117,-or-a was not paid full-time by the entity for
23 which such services were being performed at the time the
24 incident giving rise to the death occurred.

25 c. A reserve peace officer as defined in section 80D.1A.

26 Sec. 4. Section 411.6, subsection 15, paragraph b, Code
27 2005, is amended by adding the following new subparagraph:

28 NEW SUBPARAGRAPH. (6) The death qualifies for a volunteer
29 emergency services provider death benefit pursuant to section
30 100B.11.

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EXPLANATION

32 This bill concerns the \$100,000 line of duty death benefit
33 payable to eligible public safety employees under the peace
34 officers retirement system (PORS) in Code chapter 97A, the
35 Iowa public employees' retirement system (IPERS) in Code

1 chapter 97B, and the statewide fire and police retirement
2 system (MFPRSI) established by Code chapter 411, and the
3 volunteer emergency services provider death benefit in Code
4 section 100B.11.

5 The bill provides that the volunteer emergency services
6 provider death benefit under Code section 100B.11 shall
7 provide for the death benefit for all volunteer emergency
8 services providers whether the provider may otherwise be
9 covered under PORS, IPERS, or MFPRSI. The bill provides that
10 if a benefit is paid under Code section 100B.11, no line of
11 duty death benefit will be payable under the other retirement
12 systems.

13 The bill also amends the definition of a volunteer
14 emergency services provider under Code section 100B.11 to
15 cover persons performing the functions of an emergency medical
16 care provider or emergency rescue technician who were not paid
17 full-time by the entity for which such services were being
18 performed at the time the incident giving rise to the death
19 occurred.

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HOUSE FILE 2665

AN ACT

CONCERNING THE LINE OF DUTY DEATH BENEFIT PAYABLE TO PUBLIC SAFETY PROVIDERS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 97A.6, subsection 16, paragraph b, Code Supplement 2005, is amended by adding the following new subparagraph:

NEW SUBPARAGRAPH. (6) The death qualifies for a volunteer emergency services provider death benefit pursuant to section 100B.11.

Sec. 2. Section 97B.52, subsection 2, paragraph b, Code 2005, is amended by adding the following new subparagraph:

NEW SUBPARAGRAPH. (6) The death qualifies for a volunteer emergency services provider death benefit pursuant to section 100B.11.

Sec. 3. Section 100B.11, subsection 3, Code 2005, is amended to read as follows:

3. For purposes of this section, "volunteer emergency services provider" means any of the following:

a. A volunteer fire fighter as defined in section 85.61,

a.
b. A volunteer person performing the functions of an emergency medical care provider or volunteer emergency rescue technician as defined in section 147A.1 who is not covered as a volunteer emergency services provider under chapter 97A, 97B, or 411, or a was not paid full-time by the entity for which such services were being performed at the time the incident giving rise to the death occurred.

c. A reserve peace officer as defined in section 80D.1A.
Sec. 4. Section 411.6, subsection 15, paragraph b, Code 2005, is amended by adding the following new subparagraph:
NEW SUBPARAGRAPH. (6) The death qualifies for a volunteer emergency services provider death benefit pursuant to section 100B.11.

CHRISTOPHER C. RANTS
Speaker of the House

JEFFREY M. LAMBERTI
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2665, Eighty-first General Assembly.

MARGARET THOMSON
Chief Clerk of the House

Approved _____, 2006

THOMAS J. VILSACK
Governor