

BILL ANALYSIS

Senate Research Center
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S.B. 518
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Veteran Affairs & Military Installations
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, the death benefit for a member of the state military forces who is killed or disabled while engaged in authorized training or duty is approximately \$21,000. As of January 2007, 10 Texas Army National Guard members had lost their lives in Afghanistan and Iraq. Other states, such as Ohio, have recently considered legislation to increase the death benefit. Furthermore, 43 states are considering bills to assist military families with life insurance policies.

As proposed, S.B. 518 provides that the amount used for the purpose of computing death benefits for a member of the state military forces who is killed or disabled while engaged in authorized training or duty is prohibited from exceeding 400 percent of the state average weekly – approximately \$112,000 – and that the amount used for the purpose of computing income benefits is prohibited from exceeding 100 percent of the state average weekly wage – approximately \$28,000. This bill also provides that such compensation is due to a person regardless of whether the member is a United States citizen.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 431.104, Government Code, as follows:

Sec. 431.104. COMPENSATION FOR DEATH OR DISABILITY. Entitles a member of the state military forces who is killed or disabled while engaged in authorized training or duty to receive compensation under Chapter 501 (regarding workers' compensation insurance coverage for state employees), Labor Code, regardless of whether the member is a United States citizen. Makes a nonsubstantive change.

SECTION 2. Amends Section 408.0445(a), Labor Code, to provide that the amount used for the purpose of computing death benefits under Section 431.104, Government Code, is prohibited from exceeding 400 percent of the state average weekly wage as determined under Section 408.047 (State Average Weekly Wage) and that the amount used for the purpose of computing income benefits under Section 431.104, Government Code, is prohibited from exceeding 100 percent of the state average weekly wage as determined under Section 408.047. Makes nonsubstantive changes.

SECTION 3. Makes application of the change in law made by this Act to Section 408.0445(a), Labor Code, prospective.

SECTION 4. Effective date: September 1, 2007.