

AMENDMENTS TO LB196

(Amendments to E&R amendments, ER125)

Introduced by Bostar, 29.

1 1. Strike section 1 and insert the following new section:

2 Section 1. Section 81-8,318, Revised Statutes Cumulative Supplement,
3 2022, is amended to read:

4 81-8,318 (1) To receive compensation under the In the Line of Duty
5 Compensation Act, a claim for the compensation ~~shall~~ must be filed with
6 the Risk Manager within three years ~~one year~~ after the date of death of
7 the public safety officer who was killed in the line of duty. Such claim
8 shall be on a form prescribed by the Risk Manager and shall include:

9 (a) The name, address, and title or position of the public safety
10 officer who was killed in the line of duty;

11 (b) A copy of the form filed in accordance with subsection (4) of
12 section 81-8,317, if any. If no such form has been filed, the claim shall
13 include the name and address of the person or persons to whom
14 compensation is payable under subdivision (3)(b) of section 81-8,317;

15 (c) A sworn statement providing a full factual account of the
16 circumstances resulting in or the course of events causing the death of
17 the public safety officer; and

18 (d) Such other information as the Risk Manager reasonably requires.

19 (2) The Risk Manager shall send written notice to all claimants
20 within two weeks after the initiation of a claim indicating whether or
21 not the claim is complete. For purposes of this subsection, a claim is
22 complete if a claimant has submitted to the Risk Manager all documents
23 and information required under subsection (1) of this section. If a claim
24 is incomplete, the Risk Manager shall include in the written notice a
25 list of the documents or information which the claimant must submit in
26 order for the claim to be complete. If a claim is complete, ~~the State~~

1 ~~Claims Board shall make~~ an investigation of the claim shall be made in
2 the manner provided in the State Tort Miscellaneous Claims Act in
3 accordance with section 81-8,212. Upon completion of such investigation,
4 and no later than one hundred eighty forty-five days after receipt of a
5 complete claim, the State Claims Board shall approve or deny such claim
6 ~~in accordance with section 81-8,300~~ and the Risk Manager shall send
7 written notice to the claimant stating whether the claim has been
8 approved or denied. If a claim is denied, the notice shall include the
9 reason or reasons for the denial. If a claimant is dissatisfied with a
10 denial, he or she may file an application for review with the district
11 court for Lancaster County Risk Manager in accordance with sections
12 81-8,213 and 81-8,214 subsection (2) of section 81-8,300. If a claim is
13 approved, compensation shall be paid to the claimants entitled to such
14 compensation in accordance with ~~subsection (3) of section~~ 81-8,211
15 81-8,300.
16 (3) This section shall apply to any claim arising on or after
17 January 1, 2022.