

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003**

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**SENATE DRS75178-LD-55A (03/25)**

Short Title: Increase Death Benefits for Public Servants. (Public)

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Sponsors: Senator Hoyle.

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Referred to:

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A BILL TO BE ENTITLED

AN ACT TO INCREASE THE DEATH BENEFITS UNDER THE  
LAW-ENFORCEMENT OFFICERS', FIREMENS', RESCUE SQUAD  
WORKERS', AND CIVIL AIR PATROL MEMBERS' DEATH BENEFITS ACT.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 143-166.3 reads as rewritten:

**"§ 143-166.3. Payments; determination.**

(a) When any law-enforcement officer, fireman, rescue squad worker or senior Civil Air Patrol member shall be killed in the line of duty, the Industrial Commission shall award a death benefit to be paid in the amounts set forth in subsection (b) to the following:

- (1) The spouse of such officer, fireman, rescue squad worker or senior Civil Air Patrol member if there be a surviving spouse; or
- (2) If there be no spouse qualifying under the provisions of this Article, then payments shall be made to any surviving dependent child of such officer, fireman, rescue squad worker or senior Civil Air Patrol member and if there be more than one surviving dependent child, then said payment shall be made to and equally divided among all surviving dependent children; or
- (3) If there be no spouse and no dependent child or children qualifying under the provisions of this Article, then payments shall be made to the surviving dependent parent of such officer, fireman, rescue squad worker or senior Civil Air Patrol member and if there be more than one surviving dependent parent then said payments shall be made to and equally divided between the surviving dependent parents of said officer, fireman, rescue squad worker or senior Civil Air Patrol member.

1 (b) Payment shall be made to the person or persons qualifying therefor under  
2 subsection (a) in the following amounts:

3 (1) At the time of the death of an officer, fireman, rescue squad worker or  
4 senior Civil Air Patrol member, ~~ten thousand dollars (\$10,000)~~ forty  
5 thousand dollars (\$40,000) shall be paid to the person or persons  
6 entitled thereto.

7 (2) Thereafter, ~~five thousand dollars (\$5,000)~~ twenty thousand dollars  
8 (\$20,000) shall be paid annually to the person or persons entitled  
9 thereto until the sum of the initial payment and each annual payment  
10 reaches ~~twenty five thousand dollars (\$25,000)~~ one hundred thousand  
11 dollars (\$100,000).

12 (3) In the event there is no person qualifying under subsection (a) of this  
13 section, ~~twenty five thousand dollars (\$25,000)~~ one hundred thousand  
14 dollars (\$100,000) shall be paid to the estate of the deceased officer,  
15 fireman, rescue squad worker or senior Civil Air Patrol member at the  
16 time of death.

17 (c) In the event that any person or persons eligible for payments under subsection  
18 (a) of this section shall become ineligible, and other eligible person or persons qualify  
19 for said death benefit payments under subsection (a), then they shall receive the  
20 remainder of any payments up to the limit of ~~twenty five thousand dollars (\$25,000)~~ one  
21 hundred thousand dollars (\$100,000) in the manner set forth in subsection (b) of this  
22 section.

23 (d) In the event any person or persons eligible for payments under subsection (a)  
24 of this section shall become ineligible and no other person or persons qualify for  
25 payments under that subsection and where the sum of the initial payment of ten  
26 thousand dollars (\$10,000) and each subsequent annual payment of five thousand  
27 dollars (\$5,000) does not total ~~twenty five thousand dollars (\$25,000)~~ one hundred  
28 thousand dollars (\$100,000), then the difference between the total of the payments made  
29 and ~~twenty five thousand dollars (\$25,000)~~ one hundred thousand dollars (\$100,000)  
30 shall immediately be payable to the estate of the deceased officer, fireman, rescue squad  
31 worker, or senior Civil Air Patrol member."

32 **SECTION 2.** This act is effective when it becomes law and applies to deaths  
33 that occur on or after that date.