

Sixty-first
Legislative Assembly
of North Dakota

SENATE BILL NO.

Introduced by

Senator Klein

1 A BILL for an Act to amend and reenact section 18-05.1-02 of the North Dakota Century Code,
2 relating to payments to deceased firefighters estate.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 18-05.1-02 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **18-05.1-02. Payments ~~from firefighters death benefit fund~~ to deceased**
7 **firefighter's estate.** ~~The governing body of a municipality having a paid fire department or the~~
8 ~~governing body of a city or rural fire protection district having no paid fire department may~~
9 ~~request that the insurance commissioner pay ten thousand dollars from the firefighters death~~
10 ~~benefit fund to the estate of a firefighter who dies from an injury sustained while responding to,~~
11 ~~during, or within forty eight hours after a fire emergency or training activity. The insurance~~
12 ~~commissioner shall pay ten thousand dollars to the deceased firefighter's estate upon receipt of~~
13 ~~the request for payment and upon receipt of evidence that the death occurred from an injury~~
14 ~~sustained while responding to, during, or within forty eight hours after a fire emergency. The~~
15 insurance commission shall pay ten thousand dollars to a deceased firefighters estate upon
16 receipt of a request from payment of the governing body of a municipality having a paid fire
17 department or the governing body of a city or rural fire protection district that does not have a
18 paid fire department upon receipt of evidence that the firefighters death occurred from an injury
19 sustained responding to an emergency response or training event or during an emergency
20 response or training event. Death by heart attack or stroke, if occurs within forty eight hours of
21 an emergency response or training event, is deemed to be an injury caused while acting in the
22 line of the deceased firefighters duty.