

Sixty-first
Legislative Assembly
of North Dakota

SENATE BILL NO. 2308

Introduced by

Senators Klein, Dever, Flakoll

Representatives Amerman, Brandenburg, Froseth

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 a deceased firefighter's 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 commissioner shall pay ten thousand dollars to a deceased firefighter's estate upon
16 receipt of a request for payment from 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. The payment must be made upon receipt of evidence that the firefighter's
19 death occurred from an injury sustained responding to an emergency response or training event
20 or during an emergency response or training event. Death by heart attack or stroke, if death
21 occurs within forty-eight hours of an emergency response or training event, is deemed to be an
22 injury caused while acting in the line of the deceased firefighter's duty.