

ACT No. 77

2015 Regular Session

HOUSE BILL NO. 425

BY REPRESENTATIVES HAZEL, ADAMS, ARMES, BARROW, STUART BISHOP, BROWN, CARMODY, CARTER, CHANEY, COX, DOVE, FOIL, GUINN, HARRISON, HILL, HODGES, HOWARD, HUNTER, MIKE JOHNSON, JONES, KLECKLEY, LEBAS, LEGER, LORUSSO, MONTOUCET, JAY MORRIS, NORTON, OURSO, POPE, PYLANT, REYNOLDS, SEABAUGH, SIMON, ST. GERMAIN, STOKES, AND WILLMOTT

1 AN ACT

2 To amend and reenact R.S. 29:26.1(B)(10), relative to National Guard death and disability
3 benefits; to restrict certain federal rating decisions from the definition of "qualifying
4 disability" for National Guardsmen; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 29:26.1(B)(10) is hereby amended and reenacted to read as follows:

7 §26.1. National Guard death and disability benefits

8 * * *

9 B. Definitions. As used in this Section, the following terms shall have the
10 following meanings unless a different meaning is clearly required by context:

11 * * *

12 (10) "Qualifying disability" means a one hundred percent permanent total
13 disability rating, or a permanent and total unemployability disability rating as
14 determined by the United States Department of Veterans Affairs and certified by the
15 Louisiana secretary of veterans affairs in a final adjudication of the initial rating
16 decision or as determined or certified by the proper state entity that adjudicates such
17 claims for guardsmen in accordance with the workers' compensation law of this state.
18 A qualifying disability shall be certified by the Louisiana secretary of veterans
19 affairs or his designee. As provided for in this Paragraph, the initial rating decision

1 shall not apply to a United States Department of Veterans Affairs rating decision
2 which predates service in the Louisiana National Guard.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____