



STATE OF MONTANA

DEATH BENEFITS

To obtain certified copies of registered personal documents, contact the Department of Health, Room 118, Cogswell Building, Helena, MT 59620, phone (406) 444-2614.

STATE DEATH BENEFITS

19-9-911 MCA

One Time Death Benefit Payment: A lump sum benefit is paid by the Municipal Police Officers' Retirement System (MPORS) only if either:

*The police officer dies leaving **no surviving spouse or dependent children,**

*The police officer dies **after termination of employment and prior to age 50 with at least 10 years of service.**

Amount: Member's contributions plus interest on account at the time of disbursement.

Continuing Survivor's Benefits: When a member of the MPORS dies while an active member of the retirement system, his survivor(s) receive a benefit equal to **50% of the member's final average salary (FAS) or 2.5% of the member's FAS for each year of service,** whichever is more. These benefits are paid for life to the surviving spouse, split between the member's surviving dependent children for as long as one or more remain dependent. Benefits are subject to minimum benefit adjustments.

Statute reference: 19-9-804 and 19-9-911

STATE PENSION BENEFITS

Statute Reference: Title 19, Sections 2 and 9, MCA Municipal Police Officers' Retirement System (MPORS). Members accrue retirement benefits at the rate of 2.5% of final average salary (FAS) per year of service and are vested after 10 years. Regular retirement eligibility occurs at either 20 years of service or age 50 with at least 10 years of service. Benefits automatically continue to survivor(s) upon the death of the retiree. Minimum benefit increases are in effect, as well. **Contact: Public Employees' Retirement Division, 1712 Ninth Avenue, P.O. Box 200131, Helena, MT 59620-0131.**

EDUCATION BENEFITS

Statute Reference: 20-25-421(5), MCA. University tuition waivers for survivors of deceased law enforcement officers. The regents of the University System may **waive tuition charges** for qualified survivors of Montana firefighters or peace officers killed in the course and scope of employment.



State of Montana
Line of Duty Death Benefits



For purposes of this subsection, a qualified survivor is a person who meets the entrance requirements at the state university or college of his choice and is **the surviving spouse or child** of any of the following who were killed in the course and scope of employment:

- a) a paid or volunteer member of a municipal or rural fire department;
- b) a law enforcement officer as defined in 7-32-201; or
- c) a full-time highway patrol officer.

At the time of application for enrollment, the prospective student should tell the school of their survivorship status and request a tuition waiver.

HEALTH BENEFITS

Statute Reference: 7-32-4117

A police officer who retires with benefits from the MPORS (or from the Public Employees' Retirement System - PERS -- or if his or her employment was covered by this system) is eligible **to remain on his or her former employer's group health plan after retirement on a self-pay basis**. If a law enforcement officer dies in the line of duty, **the surviving spouse may remain on the employer's group health plan on a self-pay basis**.

WORKERS' COMPENSATION

Workers' Compensation coverage is compulsory for employers in Montana; however, waivers are allowed.

Benefit for a spouse or a spouse with child(ren) is **66 2/3% of the employee's wage with a minimum weekly benefit of \$181 or actual wage if less than \$181 and a maximum weekly benefit of \$362**. Spouse receives benefits for **10 years**. Children receive benefits until age **18 or beyond age 18 if disabled, or until age 22 if full-time students** or if they are enrolled in an accredited apprenticeship program.

To receive workers' compensation benefits the surviving spouse must **take the initiative** and file a workers' compensation claim through **a workers' compensation attorney** to receive any compensation. The determination as to whether the claim will be paid will be determined by the Workers' Compensation Appeals Board.

Contact the Department of Labor and Industry, 1327 Lockey, Helena, MT 59624, telephone (406) 444-6500.

PERSONAL LIFE POLICY

Share of Heirs **Other Than Surviving Spouse** - (1) To issue of decedent equally if same degree, by representation if more remote; (2) if no issue, to parents; (3) if no issue or parents, to brothers, sisters, children and grandchildren of deceased brothers and sisters; (4) if not distributed by above, to next of kin in equal degree, with those claiming through nearer degree preferred. (72-2-203).

Surviving Spouse - If surviving issue are all issue of surviving spouse, intestate share of surviving spouse is entire remaining estate. **Survival of decedent's parent or parents has no effect on intestate share of surviving spouse**, intestate share of surviving spouse is **one-half** of intestate estate if there is only one child or issue of one such child, and **one-third** of intestate estate if more than one such child or one such child and issue of one or more deceased children. (72-2-202).



PEER SUPPORT

Established in 1984, **Concerns of Police Survivors, Inc., (COPS)**, is a national, non-profit organization that works with law enforcement agencies, police organizations, mental health professional, and local peer-support organizations to provide assistance to surviving families of law enforcement officers killed in the line of duty. COPS has become a “lifeline” to police survivors nationwide. **Contact the COPS National Office or visit www.nationalcops.org/chap.htm for information on a chapter in your area.**

LAW ENFORCEMENT MEMORIAL

Libraries, Arts, and Antiquities, 22-3-701. The memorial in the Montana law enforcement museum, located in the **old Montana state prison, Deer Lodge, Montana**, which is dedicated to the men and women who have served their communities and the state of Montana as law enforcement officers and have been killed or died in the line of duty, is designated as this state’s official law enforcement officers’ memorial.

