



STATE OF NORTH DAKOTA

DEATH BENEFITS

To obtain certified copies of registered personal documents, contact Vital Records, State Capitol Building, 600 E Boulevard, Bismarck, ND 58505, phone (701) 238-2360.

STATE DEATH BENEFITS

Survivors of **state law enforcement officers** receive the same benefits as the survivors of others state employees. Individual governmental units, such as cities and counties, **may have** additional benefit plans for their peace officers and survivors.

STATE PENSION BENEFITS

Many cities and counties have their own benefits programs for law enforcement officers employed by those political subdivisions. Individual pension and retirement programs, including disability programs, may also be provided by these governmental units. **Check with your police department** for pension benefits that may be available to you and your family.

Law enforcement officers employed by the **State of North Dakota** may be under either the **North Dakota Highway Patrolmen's Retirement System** or the general state retirement system.

You may wish to contact the **North Dakota Employees Retirement System** for any details concerning benefits available to state peace officers under either the North Dakota Highway Patrolmen's Retirement System or the general state employee retirement system. **The Public Employees Retirement System may be contacted at P.O. Box 1214, Bismarck, North Dakota, 58502-1214.**

EDUCATION BENEFITS

15-10-18.5

Free tuition is available in North Dakota institutions of higher education for surviving children of peace officers and fire fighters. To be eligible, the child must be age 21 or younger at the time of the death. Should a peace officer or fire fighter die as a direct result of injuries received in performance of official duties, the survivor, upon being duly accepted for enrollment into any **North Dakota state-supported university, college, or technical or vocational school**, must be allowed to obtain a bachelors degree, or certificate of completion, for so long as the survivor is eligible, **free of any tuition and fee charges**, except those charged to retire outstanding bonds; provided, however, that the bachelors degree or certificate of completion is earned within a thirty-six month or eight semester period or its equivalent; and further provided that tuition and fee charges may not include costs for aviation flight charges or expenses.

Contact the North Dakota Board of Higher Education, 600 East Boulevard, 10th Floor, Bismarck, ND 58505, telephone (701) 328-2960.



State of North Dakota
Line of Duty Death Benefits



Legislation was recently passed which will allow the Workers' Compensation Bureau to establish a scholarship fund for surviving dependent children and spouses. The total fund shall not exceed \$50,000 per year, with a maximum scholarship amount per individual of \$1,500 per year for no more than five years.

Contact the Workers' Compensation Bureau, 500 E. Front Avenue, Bismarck, ND 58504-5685, telephone (701) 328-3800.

HEALTH BENEFITS

Health plans vary. Check with your local department to determine benefit packages available.

WORKERS' COMPENSATION

Workers' Compensation coverage is compulsory for employers in North Dakota.

Benefits are **66 2/3% of the employee's wage** for a spouse only or a spouse with child(ren) with a **minimum weekly benefit of \$115** and a **maximum weekly benefit of \$210** plus an additional **\$10 per week for each dependent child**. Widows receive a **\$300 lump sum** and a **\$100 sum for each dependent child**. Total maximum payable is **\$197,000**. Maximum burial allowance is **\$2,500**.

Spouse receives benefits **until remarriage**. Children receive benefits **until age 18 or beyond age 18 if disabled, or until age 23 if full-time students**.

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 Workers' Compensation Bureau, 500 E. Front Avenue, Bismarck, ND 58504-5685, telephone (701) 328-3800.

PERSONAL LIFE POLICIES

44-08-17. Political subdivisions authorized to purchase insurance on the life of law officer - Benefits payable to dependent survivor.

Any political subdivision **may purchase** insurance on the life of a law enforcement officer employed by that political subdivision. Such insurance policy shall be purchased from an insurance company licensed to do business in this state. If the insurance is purchased, the officer insured thereunder may **designate** his dependent survivor or survivors to whom the death benefit provided under the policy shall be paid. The word "dependent" shall mean that the deceased officer provided some financial support within one year before his/her death to the survivor and shall be liberally construed for the purposes of this section. In the event the officer **has not designated** a dependent survivor or survivors, the death benefit payable shall be paid to the closest survivor in the following order:

1. Spouse
2. Children
3. Parent
4. Brother or sister



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However, if there is **more than one qualifying survivor** in subsection 2, 3, or 4, the death benefit **shall be paid in equal shares** to the survivors in that category. The death benefit provided by an insurance policy purchased pursuant to this section shall not exceed the amount of **ten thousand dollars (\$10,000)** on the life of one law enforcement officer. Any death benefit paid due to purchase of an insurance policy under the provisions of this section shall be **in addition** to any benefit paid due to the death of that officer under any other provisions of this section shall be in addition to any benefits paid due to the death of that officer under any other provisions of law.

Life insurance purchased by that political subdivision of which the law enforcement officer was employed: Benefit shall not exceed the amount of **\$10,000** on the life of one officer. Benefit paid through insurance company is in addition to any benefits paid under any other provision of law.

Descent and Distribution: Exempt personal property - Entitlement to surviving spouse of **\$5,000**.

Property collectible by affidavit - Value of entire estate, less liens or encumbrances, does not exceed **\$15,000**.

Escheat - Property held by fiduciaries for **five years** is considered abandoned unless some concern has been expressed by owner within period.

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.**

ADDITIONAL BENEFITS

North Dakota dedicated their new law enforcement memorial in May 1994. It is located on the **State Capitol Grounds in Bismarck, North Dakota**.

Membership in the **North Dakota Peace Officers Association** entitles a member to receive a **\$500** death benefit insurance coverage.

LOCAL BENEFITS ASSISTANCE

For assistance or information about North Dakota benefits, you may contact Mr. Bill Broer, Director, North Dakota Bureau of Criminal Investigation, at (701) 328-5500.