

SESSION OF 2005

**SUPPLEMENTAL NOTE ON SUBSTITUTE  
FOR SENATE BILL NO. 211**

As Amended by Senate Committee  
of the Whole

**Brief\***

Substitute for SB 211 would provide an aggregate death benefit of \$250,000 to the family of a member of the Kansas National Guard who dies while on federal active duty in a combat area. The bill would authorize the Adjutant General to develop guidelines and to adopt rules and regulations for the payment of the death benefit. The expenditure would be remitted from the state emergency fund. The effective date is upon publication in the *Kansas Register* and is made retroactive to November 1, 2004.

**Background**

In the hearing on SB 211, the Adjutant General testified in support of the commitment by the Legislature to recognize members of the Kansas National Guard lost in combat and to provide financial assistance to their families. However, he suggested that rather than life insurance coverage for members of the National Guard as proposed in SB 211, that a death benefit be paid to families of a member of the National Guard if the death occurred in combat and resulted in the award of the Purple Heart. The Purple Heart criterion provided an objective standard for defining a combat death. The Adjutant General testified that in the past 30 years, two deaths would have qualified under the Purple Heart criterion resulting in a total disbursement of \$500,000. The Senate Committee on Federal and State Affairs recommended Substitute for SB 211 to accommodate the Adjutant General's suggested amendment.

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

A representative of Prudential Insurance Company testified in support of SB 211.

There was no testimony in opposition to the bill.

The Senate Committee of the Whole amended the bill to strike the Purple Heart criterion as a requirement to qualifying for the death benefit. The death benefit shall be paid to the surviving spouse and any dependant child or children if the Kansas National Guard member dies while on federal active duty in a combat area.

It should be noted that the Division of the Budget's fiscal note was based upon a version of the bill that was not passed.