

1 SB25  
2 114860-2  
3 By Senators Brooks and Glover  
4 RFD: Finance and Taxation General Fund  
5 First Read: 12-JAN-10  
6 PFD: 10/26/2009

1 SB25

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4 ENROLLED, An Act,

5 To amend Section 36-30-5, Code of Alabama 1975,  
6 relating to claims for the death of a peace officer or  
7 firefighter, to extend the time limit for presentment of the  
8 claim to within two years of the death of the peace officer or  
9 firefighter and would provide for retroactive effect.

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

11 Section 1. Section 36-30-5, Code of Alabama 1975, is  
12 amended to read as follows:

13 "§36-30-5.

14 "(a) All claims for compensation as provided in this  
15 article shall be presented to the awarding authority within  
16 two years from the date of the death of the peace officer or  
17 firefighter or the claims are forfeited. All such claims shall  
18 be presented in the form prescribed by the awarding authority,  
19 and proof of the facts and circumstances of the peace  
20 officer's or firefighter's death and, if necessary, the  
21 claimant's relationship to and dependence upon such peace  
22 officer or firefighter shall be made in the manner prescribed  
23 by the awarding authority.

24 "(b) Notwithstanding the provisions of subsection  
25 (a), any person who was previously ineligible to claim the

1 compensation provided in this article, but is now eligible to  
2 claim the compensation provided in this article because of the  
3 enactment of Act 2008-480, and who is making a claim based  
4 upon the death of a peace officer or firefighter who died on  
5 or after January 1, 2006, but prior to the enactment of Act  
6 2008-480, shall be able to present his or her claim for  
7 compensation to the awarding authority within one year of the  
8 date of enactment of Act 2008-480 regardless of whether the  
9 claim was presented within one year from the date of the death  
10 of the peace officer or firefighter.

11 "(c) The awarding authority is hereby authorized to  
12 prescribe such forms and adopt such rules of evidence and  
13 procedure as it deems necessary or proper, not inconsistent  
14 with the provisions of this article, for the proper  
15 determination of all claims for compensation under this  
16 article."

17 Section 2. This act shall become effective  
18 immediately following its passage and approval by the  
19 Governor, or its otherwise becoming law and shall be  
20 retroactive to January 1, 2007.

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President and Presiding Officer of the Senate

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Speaker of the House of Representatives

SB25  
Senate 16-FEB-10  
I hereby certify that the within Act originated in and passed  
the Senate.

McDowell Lee  
Secretary

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House of Representatives  
Passed: 14-APR-10

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By: Senator Brooks