

## HOUSE BILL NO. HB0203

Wyoming military casualty act.

Sponsored by: Representative(s) Miller, Edwards, Jansen,  
Lockhart, Meyer, Petersen, Powers, Thompson  
and Walsh

A BILL

for

1 AN ACT relating to veteran's affairs; providing for  
2 compensation to surviving spouses and dependent children of  
3 Wyoming residents who died while on active military duty,  
4 as specified; providing an appropriation; and providing for  
5 an effective date.

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7 *Be It Enacted by the Legislature of the State of Wyoming:*

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9       **Section 1.** The legislature of the state of Wyoming  
10 recognizes the dedicated service and sacrifice of members  
11 of the national guard, reserves and active armed forces  
12 serving the United States in past, present and future  
13 operations in Iraq and further recognizes the moral  
14 obligation of the state of Wyoming to provide for the  
15 spouses and dependents of those service persons killed and  
16 others who may yet die in those operations.

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**Section 2.**

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(a) The spouse and any child of any Wyoming resident killed on or after March 1, 2003 while on active duty in the armed forces shall each receive ten thousand dollars (\$10,000.00) in compensation, subject to the following:

(i) The Wyoming resident for whom payment shall be made shall have been killed while engaged in Iraqi operations;

(ii) To be eligible as a spouse under this subsection, a person shall have been legally married to the deceased Wyoming resident on the date of death;

(iii) Payments made on behalf of a child shall be paid to the child's natural parent with whom the child resides, the child's legal guardian or conservator if one has been appointed, the person having legal custody of the child pursuant to court order, or as the military department determines to be in the best interests of the child;

1           (iv) Payments made under this section shall be  
2 made within five (5) days, excluding weekends and legal  
3 holidays, of notification of the death to the military  
4 department. In the event that the deceased Wyoming resident  
5 was not a member of the Wyoming national guard, any person  
6 eligible to receive payments under this section who wishes  
7 to receive payments under this section shall provide notice  
8 of the death to the military department on a form and in  
9 the manner prescribed by rule of the military department.

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11           (b) The military department shall adopt rules and  
12 regulations as necessary to implement this act.

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14           (c) Payments provided under this section are subject  
15 to legislative appropriation. Upon the expenditure of  
16 appropriated funds, no additional payments shall be made  
17 pursuant to this act.

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19           (d) As used in this section:

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21           (i) "Child" means as defined for purposes of  
22 Wyoming worker's compensation in W.S. 27-14-102(a)(iii);

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1           (ii) "Engaged in" includes actual active duty  
2 service or reporting for active duty service;

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4           (iii) "Iraqi operations" includes all actions of  
5 the United States armed forces relating to Iraq, regardless  
6 of where the actions or operations might occur;

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8           (iv) "Wyoming resident" means a domiciled  
9 resident and citizen of Wyoming for a period of not less  
10 than one (1) year who has not claimed residency elsewhere  
11 for any purpose within a one (1) year period immediately  
12 preceding the date of death.

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14           **Section 3.** There is appropriated to the military  
15 department from the general fund five hundred thousand  
16 dollars (\$500,000.00) or as much thereof as is necessary to  
17 carry out the purposes of this act.

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19           **Section 4.** This act is effective immediately upon  
20 completion of all acts necessary for a bill to become law  
21 as provided by Article 4, Section 8 of the Wyoming  
22 Constitution.

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(END)