TITLE 42 - THE PUBLIC HEALTH AND WELFARE
CHAPTER 46 - JUSTICE SYSTEM IMPROVEMENT
SUBCHAPTER XII - PUBLIC SAFETY OFFICERS DEATH BENEFITS
Part A - Death Benefits

§ 3796a. Limitations on benefits

No benefit shall be paid under this subchapter—

(1) if the death or catastrophic injury was caused by the intentional misconduct of the public safety officer or by such officer’s intention to bring about his death or catastrophic injury;
(2) if the public safety officer was voluntarily intoxicated at the time of his death or catastrophic injury;
(3) if the public safety officer was performing his duties in a grossly negligent manner at the time of his death or catastrophic injury;
(4) to any individual who would otherwise be entitled to a benefit under this subchapter if such individual’s actions were a substantial contributing factor to the death or catastrophic injury of the public safety officer; or
(5) with respect to any individual employed in a capacity other than a civilian capacity.


Prior Provisions


Amendments

2006—Par. (5). Pub. L. 109–162 inserted “with respect” before “to any individual”.

Effective Date of 1990 Amendment