



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2017 Wisconsin Act 274
[2017 Assembly Bill 943]

**Certain Rights and Benefits of
National Guard and State
Defense Force Members**

2017 Wisconsin Act 274 makes several changes relating to benefits for members of the Wisconsin Army National Guard and the Wisconsin State Defense Force. First, the Act creates a continuation of pay benefit for members who are injured during the performance of duties while on state active duty. The benefit, administered by the Department of Administration (DOA), provides full pay to such an injured member until the member returns to state active duty or state active duty is ended. The Act authorizes DOA, at the department's expense, to order physical or medical examinations to determine the degree of a member's disability during that period.

Second, the Act replaces a death benefit under prior law with a larger death benefit for members who die from accidental injury while performing services growing out of and incidental to the member's employment on state active duty. Specifically, prior law required the Department of Workforce Development to pay a special death benefit of at least \$50,000 to the dependents of such a member. Instead, the Act requires the Department of Military Affairs to pay such a member a gratuity of \$100,000 to the member's designated beneficiary.

Finally, the Act expands the application of certain reemployment rights and benefits to apply to nonresidents and to persons returning from active state service in a territory of the United States, rather than only from another state under prior law.

Effective date: April 18, 2018

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.wisconsin.gov>.