

**MONTANA DEPARTMENT OF MILITARY AFFAIRS  
INFORMATION SHEET**

**HOUSE BILL NO. 136**

**A BILL PROVIDING A DEATH BENEFIT PAYMENT TO THE BENEFICIARY  
OF A MONTANA NATIONAL GUARDSMAN WHO IS KILLED WHILE  
PERFORMING STATE MILITARY DUTY.**

**INTENT**

HB 136 will create a \$100,000 military death gratuity payment benefit (exempt from state taxation) that will be paid to a beneficiary in the event that a Montana National Guardsman is killed while performing state military duty. The intent of the military death benefit is to help survivors during their period of readjustment and to aid them in meeting immediate and transitional expenses resulting from the service member's death. HB 136 also provides a statutory appropriation to fund the death gratuity payment benefit.

Currently, survivors of a Montana National Guardsman, who is killed while performing state military duty, do not receive any type of traditional military death benefit (neither state nor federal) in recognition of the service member's military service to the state. If a service member dies while performing federally funded military duty, pursuant to either Titles 10 or 32 of the United States Code, eligible beneficiaries are paid a \$100,000 cash death benefit.

**CONCLUSION**

HB 136 provides a \$100,000 state tax free death gratuity payment to a beneficiary of a Montana National Guardsman who is killed while performing state military duty. The intent of the military death benefit is to help survivors during their period of readjustment and to aid them in meeting immediate and transitional expenses resulting from the service member's death. HB 136 also provides a statutory appropriation to fund the death gratuity payment benefit.

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