

**PUBLIC SAFETY OFFICERS BENEFIT ACT (EXCERPT)**  
**Act 46 of 2004**

**28.635 Interim benefit.**

Sec. 5.

(1) If it appears to the commission that a benefit will be paid under section 4, and if a showing of need is made, the commission may make an interim benefit payment of not more than \$3,000.00 to the person or entity who would be entitled to receive the full benefit payment.

(2) The amount of an interim benefit payment shall be deducted from the amount of any final benefit paid.

(3) If an interim benefit is paid under this section, but a final benefit in that case is not paid because the death or the permanent and total disability of the public safety officer is determined not to be covered under section 4, the recipient of the interim benefit payment is liable for repayment of that benefit payment. However, the state may waive its right to repayment of all or part of the interim benefit payment if substantial hardship would result to the recipient.

**History:** 2004, Act 46, Eff. Oct. 1, 2003

**Compiler's Notes:** Enacting section 1 of Act 46 of 2004 provides: "This act is retroactive and is effective October 1, 2003."