

RÉSUMÉ DIGEST

ACT 140 (HB 28)

2021 Regular Session

Adams

New law authorizes the Firefighters' Retirement System (FRS) to pay retirement benefits to an estate administrator on behalf of a spouse or child if the spouse or child is a legatee and the testament contains a provision for informal acceptance. Provides procedures for such payments.

New law requires the estate administrator to notify the system in writing immediately upon the death of any legatee receiving a benefit. Provides that if payment is contested, the system shall withhold the disputed payment, institute a concursus action, and deposit the disputed benefit into registry of the court pending a final judgment.

Existing law allows a member of FRS to name a permanently disabled child as his beneficiary.

New law requires a medical determination of such disability in immediate proximity to but before the member retires or enters into the Deferred Retirement Option Plan.

New law provides that if the board has approved a medical determination of a member's mentally or physically disabled child or children for purposes of retirement benefits, then that determination is sufficient for the purpose of survivor benefits.

New law provides that if the member requests the system to perform a medical determination of the disabled child and the member does not allocate at least half of his reduced benefit to the child, the member shall pay the cost of the medical determination.

Existing law authorizes a member of FRS to designate that all or a portion of his benefit be paid to a trust for a minor or disabled child. New law authorizes payment to a trust for any beneficiary.

Effective August 1, 2021.

(Amends R.S. 11:2252(6), 2256(B)(3) and (G), 2256.2(A) and (E), and 2259(A)(3); Adds R.S. 11:2256.2(F) and 2259(A)(4))