

2017 Regular Session

HOUSE BILL NO. 35

BY REPRESENTATIVE CARPENTER

1 AN ACT

2 To amend and reenact R.S. 11:2258(D), relative to disability retirement benefits of members
3 of the Firefighters' Retirement System; to provide for reporting; to provide a
4 presumption; and to provide for related matters.

5 Notice of intention to introduce this Act has been published
6 as provided by Article X, Section 29(C) of the Constitution
7 of Louisiana.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 11:2258(D) is hereby amended and reenacted to read as follows:
10 §2258. Disability retirement

11 * * *

12 D.(1) Notwithstanding the provisions of R.S. 23:1225, when any member
13 acquires a disability and is entitled to a disability benefit from the retirement system,
14 the disability benefit payable for any month that the member is also receiving
15 ~~worker's~~ workers' compensation benefits shall be reduced, if necessary, so that the
16 total of both benefits shall not exceed the member's average final compensation. The
17 benefit to be paid shall be computed such that the disability benefit from the
18 retirement system and the ~~worker's~~ workers' compensation benefit shall each be paid
19 in respect to the ratio that each individual benefit bears to the total of both benefits,
20 to which the member would be entitled prior to reduction, multiplied by the average
21 final compensation of the member.

22 (2) On or before May thirty-first of each calendar year, the system shall
23 submit to the workers' compensation payor the name, social security number, and

