SLS 18RS-50 ENGROSSED

2018 Regular Session

SENATE BILL NO. 5

1

BY SENATOR PEACOCK

STATE POLICE RET FUND. Provides for the qualification for survivor benefits. (2/3 - CA10s29(F)) (gov sig)

AN ACT

2	To amend and reenact R.S. 11:1322(B), to provide relative to benefits of State Police
3	Retirement System retirees' surviving spouses; to provide for qualifications for
4	payment of survivor benefits; to provide for an effective date; and to provide for
5	related matters.
6	Notice of intention to introduce this Act has been published.
7	Be it enacted by the Legislature of Louisiana:
8	Section 1. R.S. 11:1322(B) is hereby amended and reenacted to read as follows:
9	§1322. Death of former or retired employee hired on or before December 31, 2010;
10	pension payable to survivors
11	* * *
12	B. The surviving spouse of a deceased retired employee shall receive a
13	pension in an amount equal to the monthly retirement pay that was being paid to the
14	decedent on the date of death, provided all of the following conditions exist: the
15	surviving spouse was married to the decedent for at least two years prior to the
16	decedent's death.
17	(1) The surviving spouse was married to the decedent for at least two years

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1 prior to the decedent's death; and 2 (2) For a decedent whose retirement date occurred on or before December 31, 3 2010, was living with the decedent at the time of death. 4 Section 2. The cost of this Act, if any, shall be funded through additional employer 5 contributions in compliance with Article X, Section 29(F) of the Constitution of Louisiana. 6 7 Section 3. This Act shall become effective upon signature by the governor or, if not 8 signed by the governor, upon expiration of the time for bills to become law without signature 9 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If 10 vetoed by the governor and subsequently approved by the legislature, this Act shall become 11 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Margaret M. Corley.

## DIGEST 2018 Regular Session

Peacock

SB 5 Engrossed

<u>Present law</u> provides that the surviving spouse of a deceased retiree of the State Police Retirement System (Troopers) shall receive a pension in an amount equal to the monthly retirement pay that was being paid to the decedent on the date of death provide certain conditions are met.

<u>Present law</u> provides that the surviving spouse of a decedent whose retirement date occurred on or before December 31, 2010, must have been living with the decedent at the time of death to receive the benefit.

<u>Present law</u> does not require the surviving spouse of a decedent whose retirement date occurred on or after January 1, 2011, to have been living with the decedent at the time of death to receive the benefit.

<u>Proposed law</u> removes the requirement that the surviving spouse of a decedent whose retirement date occurred on or before December 31, 2010, must have been living with the decedent at the time of death to qualify for the benefit.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 11:1322(B))