HLS 18RS-257 ENGROSSED

2018 Regular Session

HOUSE BILL NO. 30

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BY REPRESENTATIVE PEARSON

RETIREMENT/MUNICIPAL EMP: Provides for the definitions of minor child and disability relative to the Municipal Employees' Retirement System of Louisiana

AN ACT

2 To amend and reenact R.S. 11:1732(11) and (20), relative to the Municipal Employees' 3 Retirement System of Louisiana; to provide for the definition of disability; to 4 provide for the definition of minor child; 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. 11:1732(11) and (20) are hereby amended and reenacted to read as follows: 10 11 §1732. Definitions 12 The following words and phrases, as used in this Chapter, unless a different 13 meaning is plainly required by the context, shall have the following meanings: 14 15 (11) "Disability" means a condition which in the determination of the board 16 renders an employee permanently and totally disabled, by bodily injury or disease, 17 from performing the duties and responsibilities of his position; leaving him 18 incapable of any employment, provided, however, that such condition is not, directly 19 or indirectly, the result of military service, engaging in a felonious criminal HLS 18RS-257

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enterprise, habitual drunkenness or use of narcotics, intentionally self-inflicted injury, or declared war or enemy action.

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(20) "Minor child" means a child born of the marriage or adopted child of a member who has not attained the age of eighteen, or who had a disability at the time of the member's death and who remains in such disability status. an unmarried child under the age of eighteen years or child who had a disability at the time of the member's death and who remains disabled, and "child" means the issue of a marriage of a member, the legally adopted child of a member, the natural child of a female member, or the child of a male member if a court of competent jurisdiction has made an order of filiation declaring the paternity of such a member for the child or the father has formally acknowledged the child.

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Section 2. This Act shall become effective on July 1, 2018; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 2018, or on the day following such approval by the legislature, whichever is later.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Pearson

Abstract: Changes definitions of "disability" and "minor child" pertaining to the Municipal Employees' Retirement System of La. (MERS)

<u>Present law</u> as it relates to MERS, defines disability as a condition which, in the determination of the MERS board, renders an employee permanently and totally disabled, by bodily injury or disease, from performing the duties and responsibilities of his position; excludes disabilities caused by specified actions or events. <u>Proposed law</u> provides that the disability must render the member incapable of any employment rather than render him incapable of performing the duties and responsibilities of his position.

<u>Proposed law</u> changes the definition of minor child <u>from</u> a child born of the marriage or adopted child of a member who has not attained the age of eighteen, or who had a disability at the time of the member's death and who remains in such disability status <u>to</u> an unmarried child under the age of eighteen years or child who had a disability at the time of the member's death and who remains disabled. <u>Proposed law</u> defines child as the issue of a marriage of a member, the legally adopted child of a member, the natural child of a female member; or the child of a male member if a court of competent jurisdiction has made an

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

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order of filiation declaring the paternity of such a member for the child or the father has formally acknowledged the child.

Effective July 1, 2018.

(Amends R.S. 11:1732(11) and (20))