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## DIGEST

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HB 10 Engrossed

2018 Regular Session

Ivey

**Abstract:** Reduces delay for payment of refunded employee contributions from no less than 90 days to no less than 30 days upon board approval of requested refund and eliminates accelerated refunds based on hardship for members of the Firefighters' Retirement System (the system) and provides survivor benefit for the surviving spouse and children of a member of the system who is also a commissioned law enforcement officer killed by an intentional act of violence while engaged in the discharge of his law enforcement duties.

### **Payment of Refunded Employee Contributions**

Present law provides that any member of the system who ceases to be an employee, except by death or retirement, may apply for and obtain a refund of the amount of the accumulated contributions on deposit in his individual account. To obtain a refund, the member must complete and submit an application form certified by the employer not earlier than 30 days after termination or resignation.

Present law provides that refunds of accumulated employee contributions shall not be payable until at least 90 days after termination or resignation. Proposed law provides that refunds shall not be payable until approved by the board of trustees and until 30 days have elapsed after termination or resignation.

Present law provides that the board may authorize the refund of accumulated employee contributions after 45 days have elapsed after termination or resignation, provided the accelerated refund is based on a bona fide emergency circumstance. Further provides that each such refund shall be approved by the board before the refund is paid. Proposed law repeals present law.

### **Survivor Benefits**

Present law provides for the survivor benefit for the spouse and children of a member of the system who was killed in the line of duty. Present law provides that the surviving spouse's benefit shall equal 2/3 of the member's average final compensation. Further provides that the surviving child's benefit shall equal up to 40% of the member's final average compensation, under certain circumstances.

Proposed law provides for the survivor benefit for the spouse and children of a member who is also a commissioned law enforcement officer and who is killed by an intentional act of violence while engaged in the discharge of his law enforcement duties. Proposed law provides that the benefit payable to the surviving spouse shall be equal to 100% of the member's salary paid by the

participating employer. If the member leaves no surviving spouse, proposed law provides that the benefit payable to the surviving children shall be equal to 100% of the member's salary, divided prorata between the children and adjusted as any child loses eligibility for the benefit.

Proposed law provides that any surviving spouse or children of a member killed on or before July 1, 2018, by an intentional act of violence who would otherwise qualify for the survivor benefit provided for by proposed law shall have any survivor benefit payable on or after July 1, 2018, increased to 100% of the member's salary.

Effective July 1, 2018.

(Amends R.S. 11:2256(B)(2) and (3) and (E)(1) and (3))

#### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Retirement to the original bill:

1. Create an increased survivor benefit for the surviving spouse and children of a member of the system who is also a commissioned law enforcement officer killed by an intentional act of violence while engaged in the discharge of his law enforcement duties.