ACT No. 343

1	AN ACT
2	To amend and reenact R.S. 11:2220(B)(1)(a)(ii) and (2)(a) and (b) and (G) and 2223(E)(2),
3	relative to the Municipal Police Employees' Retirement System; to provide relative
4	to the term "average final compensation"; to provide for consistency of language; to
5	provide relative to qualifications for disability retirement; to provide for an effective
6	date; and to provide for related matters.
7	Notice of intention to introduce this Act has been published.
8	Be it enacted by the Legislature of Louisiana:
9	Section 1. R.S. 11:2220(B)(1)(a)(ii) and (2)(a) and (b) and (G) and 2223(E)(2) are
10	hereby amended and reenacted to read as follows:
11	§2220. Benefits; contribution limit
12	* * *
13	B. Benefits shall be payable to any survivor of an active contributing member
14	who dies before retirement or a disability retiree who dies after retirement as
15	specified in the following:
16	(1)(a)(i) * * *
17	(ii) Where the board of trustees determines that an active contributing
18	member is killed as a result of injuries sustained in the line of duty, the cessation of
19	benefits upon remarriage set forth in this Paragraph shall not apply. If the injury
20	occurs on or after January 1, 2001, the surviving spouse shall receive a benefit equal
21	to one hundred percent of the member's ~~final average compensation~~ **average final**
22	**compensation** less any survivor benefits payable to a child or children as provided
23	in this Section; however, no increase in survivor benefits shall be paid for any period
24	before July 1, 2003. The sum of survivor benefits paid to children and a surviving
25	spouse shall not exceed one hundred percent of the member's ~~final average~~
26	~~compensation~~ **average final compensation**. No funds derived from the assessments
27	against insurers pursuant to R.S. 22:1476 shall be used to pay any increased costs or

1   increase in liability of the system resulting from the payment of benefits to a

2   surviving spouse pursuant to this Item.

3   *   *   *

4   (2)(a) If an active contributing member or a disability retiree dies and leaves,

5   in addition to a surviving spouse, one or more children under eighteen years of age,

6   each child under age eighteen shall be paid monthly benefits equal to ten percent of

7   the deceased member's average **final** compensation, or two hundred dollars per

8   month, whichever is greater. However, benefits payable on account of each child,

9   when added to the benefits payable to the surviving spouse, shall not exceed an

10   aggregate of one hundred percent of the deceased member's average **final**

11   compensation. Benefits for a surviving child shall cease upon the child's attainment

12   of age eighteen years or upon marriage, whichever occurs first, except that benefits

13   shall continue:

14   (i) For a surviving child to age twenty-three provided the child is a full-time,

15   unmarried student at a recognized institution of higher education, high school, or

16   vocational-technical school~~, and~~**.**

17   (ii) For a surviving child with a total physical disability or intellectual

18   disability if such child had a total physical disability or intellectual disability at the

19   time of death of the member or acquired such disability prior to the attainment of age

20   eighteen and is dependent upon the surviving spouse or other legal guardian for

21   subsistence.

22   (b) If an active contributing member or a disability retiree dies and does not

23   leave a surviving spouse but leaves one or more children under the age of eighteen,

24   each child under age eighteen shall be paid monthly benefits equal to thirty percent

25   of the deceased member's average **final** compensation. Benefits paid on account of

26   each child shall not exceed an aggregate of sixty percent of the average **final**

27   compensation. In the event the deceased member is survived by only one minor

28   child, the child shall be paid not less than forty percent of the deceased member's

29   average **final** compensation. Benefits shall continue after the minor child attains age

30   eighteen as provided in ~~R.S. 11:2220(B)(2)(a)(i) and R.S. 11:2220(B)(2)(a)(ii)~~ **Items**

1   **(a)(i) and (ii) of this Paragraph**.

2   *   *   *

3   G. The retirement benefits provided by this Section shall not annually exceed

4   one hundred percent of average **final** compensation, and when a member has earned

5   benefits equal to one hundred percent of his average **final** compensation, no further

6   contributions shall be required of him. However, the employer shall continue to pay

7   to the system the employer's contribution.

8   *   *   *

9   §2223. Disability retirement

10   *   *   *

11   E.(1)   *   *   *

12   (2) Any disability retiree who is blinded**, who suffers a traumatic physical**

13   **injury causing permanent damage to the brain or spinal cord,** or who loses the

14   total use of a limb solely as a result of injuries sustained on or after July 1, 2003, in

15   the performance of his official duties, and whose condition is certified by the State

16   Medical Disability Board, shall receive a benefit equal to his ~~final average~~

17   ~~compensation~~ **average final compensation**. No funds derived from the assessments

18   against insurers pursuant to R.S. 22:1476 shall be used to pay any increased costs or

19   increase in liability of the system resulting from the provisions of this Paragraph.

20   *   *   *

21   Section 2. This Act shall become effective on June 30, 2018; if vetoed by the

22   governor and subsequently approved by the legislature, this Act shall become effective on

23   June 30, 2018, or on the day following such approval by the legislature, whichever is later.

_____
PRESIDENT OF THE SENATE

_____
SPEAKER OF THE HOUSE OF REPRESENTATIVES

_____
GOVERNOR OF THE STATE OF LOUISIANA
APPROVED: _____

Coding: Words which are ~~struck through~~ are deletions from existing law;
words in **boldface type and underscored** are additions.