

2020 Regular Session

HOUSE BILL NO. 11

BY REPRESENTATIVE CARPENTER

RETIREMENT/FIREFIGHTERS: Provides relative to benefit payments if an eligible member of the Firefighters' Retirement System dies prior to retirement

1 AN ACT

2 To amend and reenact R.S. 11:2256(A)(3) and (B)(1)(d), to enact R.S. 11:2256(A)(6), and
3 to repeal R.S. 11:2256(B)(1)(f), relative to benefits in the Firefighters' Retirement
4 System; to provide with respect to payment of benefits if a member dies prior to
5 retirement; to provide for a benefit recipient; and to provide for related matters.

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

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 11:2256(A)(3) and (B)(1)(d) are hereby amended and reenacted and
11 R.S. 11:2256(A)(6) is hereby enacted to read as follows:

12 §2256. Benefits; refund of contributions, application, and payment

13 A.

14 * * *

15 (3)(a) Any member who has completed twenty or more years of creditable
16 service and who leaves employment covered by this system before attaining age fifty
17 or any member who has completed twelve or more years of creditable service and
18 who leaves employment covered by this system before attaining age fifty-five may
19 select, at any time prior to thirty days before the date that benefits are scheduled to
20 commence to the member, any optional retirement allowance as provided for in R.S.

1 11:2259; within the same time period allowed above, the member may change the
2 option selected or the beneficiary of the option selected or both.

3 (b) However, ~~in the event of the death of~~ if the member dies after the
4 selection of the option but prior to the commencement of benefits, the optional
5 benefit will become payable to the option beneficiary; at the time the member would
6 have otherwise begun to receive benefits. ~~In the event that~~ If the member selects
7 neither the maximum regular retirement benefit nor an optional retirement allowance
8 ~~within the time period allowed above, Option 2 will be automatically assumed to~~
9 ~~have been selected and the member's designated beneficiary shall be the beneficiary~~
10 ~~of the option.~~ prior to thirty days before the date that benefits are scheduled to
11 commence, the surviving eligible spouse shall be paid benefits as though the member
12 had elected Option 2 of R.S. 11:2259, naming the member's surviving spouse as the
13 option beneficiary. If a member has no surviving eligible spouse, the designated
14 beneficiary shall be the option beneficiary. ~~However, in the event that~~ If a member
15 has no surviving eligible spouse or designated beneficiary, the accumulated
16 contributions of the member shall be refunded to his estate immediately upon receipt
17 of proof of death.

18 * * *

19 (6) For purposes of this Section, "surviving eligible spouse" means the
20 spouse who was married to and living with the member at the time of his death.

21 B.(1) Benefits shall be payable to the surviving eligible spouse or designated
22 beneficiary of a deceased member as specified in the following:

23 * * *

24 (d) If any active contributing member who is eligible for retirement dies
25 before retiring, the member's ~~designated beneficiary~~ surviving eligible spouse shall
26 automatically be paid benefits as though the member had retired on the date of ~~the~~
27 death and elected Option 2 of R.S. 11:2259, naming the member's ~~designated~~
28 ~~beneficiary~~ surviving eligible spouse as the option beneficiary ~~of the option~~. If a
29 member has no surviving eligible spouse, the designated beneficiary shall be the

