

2025 Regular Session

HOUSE BILL NO. 28

BY REPRESENTATIVE KERNER

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

RETIREMENT/FIREFIGHTERS: Provides relative to the Firefighters' Retirement System

1 AN ACT

2 To amend and reenact R.S. 11:2256(B)(3)(a) and (H)(2)(b), relative to the Firefighters'
3 Retirement System; to provide relative to survivor benefits for children with a
4 disability; 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. 11:2256(B)(3)(a) and (H)(2)(b) are hereby amended and reenacted
10 to read as follows:

11 §2256. Benefits; refund of contributions, application, and payment

12 * * *

13 B.

14 * * *

15 (3)(a) Benefits shall be payable as specified in this Paragraph to any
16 surviving child of a deceased member or retiree if the child has a total physical
17 disability or an intellectual disability at the time of death of the member or of the
18 retirement of the retiree. The surviving child of a deceased active contributing
19 member, a deceased disability retiree, or a deceased regular retiree, whether under
20 or over the age of eighteen years, shall be entitled to the same benefits, payable in

1 the same manner as are provided in this Section for minor children, ~~if the child has~~
 2 ~~a total physical disability or an intellectual disability and had such disability at the~~
 3 ~~time of death of the member or retiree, and the child is dependent upon the surviving~~
 4 ~~spouse or other legal guardian for subsistence.~~ Benefits payable under the provisions
 5 of this Paragraph may be paid in trust as provided in R.S. 11:2256.2.

* * *

7 H.

* * *

9 (2)

* * *

11 (b) If a surviving eligible spouse irrevocably designates a child with a
 12 disability to receive a benefit as set forth in Paragraph (1) of this Subsection, that
 13 benefit shall continue ~~unless the disabling condition is no longer medically~~
 14 ~~determined to be permanent~~ through the life of the child.

* * *

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)]

HB 28 Original

2025 Regular Session

Kerner

Abstract: Provides relative to benefits of a child or children with a disability in the Firefighters' Retirement System.

Present law provides that survivor payments are payable to a child who has a total physical or an intellectual disability, who had such disability at the time of death of the member or retiree, and who is dependent upon the surviving spouse or other legal guardian for subsistence.

Proposed law provides that survivor benefits are payable to such a child if the child had the disability at the time of the retirement of the retiree, rather than the death of the retiree, and removes the requirement that the child be dependent on the surviving spouse or other legal guardian.

Present law provides that if a surviving spouse irrevocably designates a child with a disability to receive a benefit, the benefit continues unless the disabling condition is medically determined to not be permanent.

Proposed law removes the condition that the disability be medically determined to not be permanent. Allows the benefit to continue for the life of the child.

(Amends R.S. 11:2256(B)(3)(a) and (H)(2)(b))