

2025 Regular Session

HOUSE BILL NO. 28

BY REPRESENTATIVES KERNER, CHASSION, DEWITT, GLORIOSO, HORTON,
STAGNI, AND TAYLOR

1 AN ACT

2 To amend and reenact R.S. 11:2256(H)(1)(a) and (2)(b), relative to the Firefighters'
3 Retirement System; to provide relative to survivor benefits for children with a
4 disability; to provide for the designation of a beneficiary; and to provide for related
5 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(H)(1)(a) and (2)(b) are hereby amended and reenacted to
11 read as follows:

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

13 * * *

14 H.(1)(a) A surviving eligible spouse who is receiving a survivor benefit
15 pursuant to Subsection B of this Section ~~may~~ may, no later than thirty days after the
16 member's death, designate his deceased spouse's child or children with a permanent
17 mental or physical disability, hereafter in this Subsection referred to as a child with
18 a disability, or the deceased member's dependent minor child or children, hereafter
19 in this Subsection referred to as a minor child, to receive a specified amount of
20 benefits payable to the surviving eligible spouse. Prior to any such payment to a
21 minor child or child with a disability, the system's actuary shall certify that the

1 benefit to be paid to the minor child or child with a disability plus the remaining
 2 benefit to be paid to the surviving eligible spouse is of equivalent value to the total
 3 benefits that would otherwise be payable to the surviving eligible spouse. Any
 4 benefit paid to a child with a disability pursuant to Subparagraph (B)(2)(a) of this
 5 Section shall be factored to mitigate any reduction of the surviving spouse's benefit
 6 that may be related to designating such child as a beneficiary pursuant to this
 7 Subsection.

* * *

(2)

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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.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____