

2015 Regular Session

HOUSE BILL NO. 46

BY REPRESENTATIVES REYNOLDS, HOFFMANN, HOLLIS, IVEY, MILLER,  
JONES, MONTOUCET, OURSO, PRICE, AND TALBOT

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

RETIREMENT/STATE EMPS: Provides relative to benefits for minor children of certain  
wildlife agents in the enforcement division of the Department of Wildlife and  
Fisheries

1 AN ACT

2 To amend and reenact R.S. 11:586(A)(introductory paragraph) and (B), 587, 589, 590(B)  
3 and (C), and 591(A), relative to benefits for children of certain wildlife agents in the  
4 enforcement division of the Department of Wildlife and Fisheries, to authorize  
5 receipt of benefits, in certain circumstances, after a child reaches majority; to provide  
6 relative to the marital status of such child and his eligibility for benefits; and to  
7 provide for related matters.

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

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 11:586(A)(introductory paragraph) and (B), 587, 589, 590(B) and  
13 (C), and 591(A) are hereby amended and reenacted to read as follows:

14 §586. Death benefits of minor children

15 A. If there is no surviving spouse to receive the pension due a widow of any  
16 member under R.S. 11:585, the minor children under eighteen years of age of the  
17 deceased member, ~~if any,~~ shall receive a monthly pension in the proportions set out  
18 herein as follows:

19 \* \* \*

1           B. ~~As each child reaches eighteen years of age~~ When a child no longer meets  
2           the definition of minor child as provided in R.S. 11:403, he shall receive no further  
3           benefits and the monthly pension shall be reduced by the amount previously paid to  
4           him.

5           §587. Death benefits of parents

6           If there is no surviving spouse and no minor children ~~under eighteen~~, a  
7           monthly pension of twenty-five percent of the average compensation of the deceased  
8           member shall be paid to the parent or parents of the deceased member, if they, or  
9           either of them, derived their main support from the member.

10   \*       \*       \*

11           §589. Death before age fifty-five

12           The surviving spouse, the minor children ~~under eighteen years of age~~, or the  
13           dependent parents of any member who dies prior to attaining age fifty-five and  
14           whose death occurs other than in the line of duty, but who at the time of death had  
15           at least fifteen years of service credit, shall be entitled to the same pension rights to  
16           which said member would have been entitled had he, at the time of death, retired in  
17           accordance with the provisions of R.S. 11:582, but computed solely on the basis of  
18           the number of years of service to his credit and without regard to his attained age at  
19           time of death.

20           §590. Forfeiture for remarriage

21   \*       \*       \*

22           B. If there are minor children ~~under eighteen years of age~~, the pension  
23           previously paid to the widow, or the portion thereof to which the deceased member's  
24           minor children ~~under eighteen years of age~~ are entitled under the provisions of this  
25           Subpart, shall be paid to the children in the same manner and for the same length of  
26           time as provided in R.S. 11:586 for the payment of pensions to children.

27           C. If there are no minor children ~~under eighteen years of age~~, the parent or  
28           parents of the deceased member who derived their main support from him shall  
29           receive the pension provided for them under the provisions of R.S. 11:587.

1           §591. Death of retired member  
2                   A. The surviving spouse, the minor children ~~under eighteen years of age~~, or  
3           the dependent parents of any retired member who dies shall receive as a pension  
4           seventy-five percent of the monthly retirement pay which was being paid to the  
5           member prior to his death, in the following order of priority:

- 6                   (1) The surviving spouse.  
7                   (2) The minor children of the deceased member ~~who are under eighteen~~  
8           ~~years of age~~, in the same manner and for the same length of time as provided in R.S.  
9           11:588.

10                   (3) The parents of the deceased, if they furnish to the board satisfactory  
11           proof that they were deriving their main support from the deceased member.

12   \*       \*       \*

13           Section 2. The cost of this Act, if any, shall be funded with additional employer  
14           contributions in compliance with Article X, Section 29(F) of the Constitution of Louisiana.

15           Section 3. This Act shall become effective upon signature by the governor or, if not  
16           signed by the governor, upon expiration of the time for bills to become law without signature  
17           by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
18           vetoed by the governor and subsequently approved by the legislature, this Act shall become  
19           effective on the day following such approval.

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 46 Engrossed   2015 Regular Session   Reynolds

**Abstract:** Authorizes receipt of benefits, in certain circumstances, for surviving children of wildlife agents in the enforcement division of the Dept. of Wildlife and Fisheries who have reached the age of majority.

Present law (R.S. 11:581 et seq) establishes retirement benefits from the Louisiana State Employees' Retirement System (LASERS) for wildlife agents in the enforcement division of the Dept. of Wildlife & Fisheries whose first employment making them eligible for membership in one of the state systems occurred on or before Dec. 31, 2010.

Present law authorizes payment of benefits for children of deceased wildlife agents until the child reaches age 18. Proposed law provides that as long as the child meets the definition

of "minor child" in present law, such child is eligible to receive benefits. Present law (R.S. 11:403(19)), defines "minor child", for the purposes of LASERS statutes, as an unmarried child under the age of 18 years or an unmarried student under the age of 23 years who is the issue of a marriage of a member of the system, the legally adopted child of a member of the system, a child born outside of marriage of a female member of the system, or the child of a male member of the system if acknowledged or filiated pursuant to the provisions of the Civil Code.

Proposed law requires that any cost of proposed law be funded with additional employer contributions in compliance with Art. X, Sec. 29(F) of the state constitution.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 11:586(A)(intro. para.) and (B), 587, 589, 590(B) and (C), and 591(A))