

2017 Regular Session

HOUSE BILL NO. 11

BY REPRESENTATIVE BARRAS

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

RETIREMENT/ASSESSORS: Provides relative to Back-DROP benefits of the Assessors' Retirement Fund

1 AN ACT

2 To enact R.S. 11:1441(E), relative to benefits for surviving spouses from the Assessors'
3 Retirement Fund; to provide for Back-Deferred Retirement Option Program benefits
4 payable to surviving spouses of members of the fund under certain circumstances;
5 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. 11:1441(E) is hereby enacted to read as follows:

11 §1441. Surviving spouse's benefit

12 * * *

13 E. If an active, contributing member dies and meets the eligibility
14 requirements at R.S. 11:1456.1(B) on the day of his death and the member's
15 surviving spouse is eligible for benefits payable pursuant to Subsection C of this
16 Section, which are equal to the Option 2 benefits provided for in R.S. 11:1423, the
17 surviving spouse may elect to receive such benefits in the same manner as described
18 in R.S. 11:1456.1, as if the member had retired on the day following the member's
19 death and elected Back-Deferred Retirement Option Program benefits, and for a
20 Back-DROP period selected by the surviving spouse which shall not exceed the

1 duration limitations included in R.S. 11:1456.1(C). The surviving spouse shall make
 2 the elections provided for in this Subsection at the time he applies for survivor
 3 benefits.

4 Section 2. This Act shall become effective upon signature by the governor or, if not
 5 signed by the governor, upon expiration of the time for bills to become law without signature
 6 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 7 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 8 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 11 Original

2017 Regular Session

Barras

Abstract: Allows surviving spouses of retirement-eligible members of the Assessors' Retirement Fund (the fund) to participate in Back-DROP.

Present law grants survivor benefits to the surviving spouse of a member of the fund who was eligible to but had not retired on his date of death. Proposed law retains present law.

Present law allows certain members to elect to participate in the Back-Deferred Retirement Option Program (Back-DROP) upon retirement. The Back-DROP program provides a retired member with an additional monthly retirement benefit and a lump-sum benefit based on the number of months selected by the member as the Back-DROP period. The duration of the Back-DROP period shall not exceed the lesser of 36 months or the number of months of creditable service accrued after the member first attained eligibility for normal retirement. Proposed law retains present law.

Proposed law allows surviving spouses of members who had not yet entered retirement but were eligible for retirement to elect to collect the survivor benefit they are entitled to under present law in the same manner that Back-DROP benefits would be administered if the deceased member had elected to retire and participate in Back-DROP on the day following his date of death. Proposed law allows the surviving spouse to select the Back-DROP period not to exceed the present law statutory limits.

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

(Adds R.S. 11:1441(E))