

2017 Regular Session

HOUSE BILL NO. 35

BY REPRESENTATIVE CARPENTER

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

RETIREMENT/FIREFIGHTERS: Provides relative to the offset of disability retirement benefits of members of the Firefighters' Retirement System based on receipt of workers' compensation benefits

1 AN ACT

2 To amend and reenact R.S. 11:2258(D), relative to disability retirement benefits of members
3 of the Firefighters' Retirement System; to provide for reporting; to provide a
4 presumption; 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. 11:2258(D) is hereby amended and reenacted to read as follows:

10 §2258. Disability retirement

11 * * *

12 D. (1) Notwithstanding the provisions of R.S. 23:1225, when any member
13 acquires a disability and is entitled to a disability benefit from the retirement system,
14 the disability benefit payable for any month that the member is also receiving
15 worker's compensation benefits shall be reduced, if necessary, so that the total of
16 both benefits shall not exceed the member's average final compensation. The benefit
17 to be paid shall be computed such that the disability benefit from the retirement
18 system and the worker's compensation benefit shall each be paid in respect to the
19 ratio that each individual benefit bears to the total of both benefits, to which the

