

2018 Regular Session

SENATE BILL NO. 7

BY SENATOR PEACOCK

MUNICIPAL POL EMPS RET. Corrects language regarding average final compensation.  
(6/30/18)

1 AN ACT

2 To amend and reenact R.S. 11:2220(B)(1)(a)(ii) and (2)(a) and (b) and (G) and 2223(E)(2),  
3 relative to the Municipal Police Employees' Retirement System; to provide relative  
4 to the term "average final compensation"; to provide for consistency of language; to  
5 provide for an effective date; and to provide for related matters.

6 Notice of intention to introduce this Act has been published.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 11:2220(B)(1)(a)(ii) and (2)(a) and (b) and (G) and 2223(E)(2) are  
9 hereby amended and reenacted to read as follows:

10 §2220. Benefits; contribution limit

11 \* \* \*

12 B. Benefits shall be payable to any survivor of an active contributing member  
13 who dies before retirement or a disability retiree who dies after retirement as  
14 specified in the following:

15 (1)(a)(i) \* \* \*

16 (ii) Where the board of trustees determines that an active contributing  
17 member is killed as a result of injuries sustained in the line of duty, the cessation of

1 benefits upon remarriage set forth in this Paragraph shall not apply. If the injury  
2 occurs on or after January 1, 2001, the surviving spouse shall receive a benefit equal  
3 to one hundred percent of the member's ~~final average compensation~~ **average final**  
4 **compensation** less any survivor benefits payable to a child or children as provided  
5 in this Section; however, no increase in survivor benefits shall be paid for any period  
6 before July 1, 2003. The sum of survivor benefits paid to children and a surviving  
7 spouse shall not exceed one hundred percent of the member's ~~final average~~  
8 **compensation average final compensation**. No funds derived from the assessments  
9 against insurers pursuant to R.S. 22:1476 shall be used to pay any increased costs or  
10 increase in liability of the system resulting from the payment of benefits to a  
11 surviving spouse pursuant to this Item.

12 \* \* \*

13 (2)(a) If an active contributing member or a disability retiree dies and leaves,  
14 in addition to a surviving spouse, one or more children under eighteen years of age,  
15 each child under age eighteen shall be paid monthly benefits equal to ten percent of  
16 the deceased member's average **final** compensation, or two hundred dollars per  
17 month, whichever is greater. However, benefits payable on account of each child,  
18 when added to the benefits payable to the surviving spouse, shall not exceed an  
19 aggregate of one hundred percent of the deceased member's average **final**  
20 compensation. Benefits for a surviving child shall cease upon the child's attainment  
21 of age eighteen years or upon marriage, whichever occurs first, except that benefits  
22 shall continue:

23 (i) For a surviving child to age twenty-three provided the child is a full-time,  
24 unmarried student at a recognized institution of higher education, high school, or  
25 vocational-technical school, and

26 (ii) For a surviving child with a total physical disability or intellectual  
27 disability if such child had a total physical disability or intellectual disability at the  
28 time of death of the member or acquired such disability prior to the attainment of age  
29 eighteen and is dependent upon the surviving spouse or other legal guardian for

1 subsistence.

2 (b) If an active contributing member or a disability retiree dies and does not  
3 leave a surviving spouse but leaves one or more children under the age of eighteen,  
4 each child under age eighteen shall be paid monthly benefits equal to thirty percent  
5 of the deceased member's average **final** compensation. Benefits paid on account of  
6 each child shall not exceed an aggregate of sixty percent of the average  
7 compensation. In the event the deceased member is survived by only one minor  
8 child, the child shall be paid not less than forty percent of the deceased member's  
9 average **final** compensation. Benefits shall continue after the minor child attains age  
10 eighteen as provided in R.S. 11:2220(B)(2)(a)(i) and ~~R.S. 11:2220(B)(2)(a)(ii)~~.

11 \* \* \*

12 G. The retirement benefits provided by this Section shall not annually exceed  
13 one hundred percent of average **final** compensation, and when a member has earned  
14 benefits equal to one hundred percent of his average **final** compensation, no further  
15 contributions shall be required of him. However, the employer shall continue to pay  
16 to the system the employer's contribution.

17 \* \* \*

18 §2223. Disability retirement

19 \* \* \*

20 E.(1)

\* \* \*

21 (2) Any disability retiree who is blinded or who loses the total use of a limb  
22 solely as a result of injuries sustained on or after July 1, 2003, in the performance of  
23 his official duties, and whose condition is certified by the State Medical Disability  
24 Board, shall receive a benefit equal to his ~~final average compensation~~ **average final**  
25 **compensation**. No funds derived from the assessments against insurers pursuant to  
26 R.S. 22:1476 shall be used to pay any increased costs or increase in liability of the  
27 system resulting from the provisions of this Paragraph.

28 \* \* \*

29 Section 2. This Act shall become effective on June 30, 2018; if vetoed by the

