2018 Regular Session

HOUSE BILL NO. 30

BY REPRESENTATIVE PEARSON

RETIREMENT/MUNICIPAL EMP: Provides for the definitions of minor child and disability relative to the Municipal Employees' Retirement System of Louisiana

1	AN ACT		
2	To amend and reenact R.S. 11:1732(11) and (20), relative to the Municipal Employees'		
3	Retirement System of Louisiana; to provide for the definition of disability; to		
4	provide for the definition of minor child; 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. 11:1732(11) and (20) are hereby amended and reenacted to read as		
10	follows:		
11	§1732. Definitions		
12	The following words and phrases, as used in this Chapter, unless a different		
13	meaning is plainly required by the context, shall have the following meanings:		
14	* * *		
15	(11) "Disability" means a condition which in the determination of the board		
16	renders an employee permanently and totally disabled, by bodily injury or disease,		
17	from performing the duties and responsibilities of his position ; leaving him		
18	incapable of any employment, provided, however, that such condition is not, directly		
19	or indirectly, the result of military service, engaging in a felonious criminal		

Page 1 of 3

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

8

13

1	enterprise, habitual drunkenness or use of narcotics, intentionally self-inflicted		
2	injury, or declared war or enemy action.		
3	* * *		
4	(20) "Minor child" means a child born of the marriage or adopted child of		
5	a member who has not attained the age of eighteen, or who had a disability at the		
6	time of the member's death and who remains in such disability status. an unmarried		

7 child under the age of eighteen years or child who had a disability at the time of the

9 of a member, the legally adopted child of a member, the natural child of a female

member's death and who remains disabled, and "child" means the issue of a marriage

10 member, or the child of a male member if a court of competent jurisdiction has made

11 an order of filiation declaring the paternity of such a member for the child or the

12 father has formally acknowledged the child.

14 Section 2. This Act shall become effective on July 1, 2018; if vetoed by the governor

15 and subsequently approved by the legislature, this Act shall become effective on July 1,

16 2018, or on the day following such approval by the legislature, whichever is later.

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 30 Original	2018 Regular Session	Pearson
C	0	

Abstract: Changes definitions of "disability" and "minor child" pertaining to the Municipal Employees' Retirement System of La. (MERS)

<u>Present law</u> as it relates to MERS, defines disability as a condition which, in the determination of the MERS board, renders an employee permanently and totally disabled, by bodily injury or disease, from performing the duties and responsibilities of his position; excludes disabilities caused by specified actions or events. <u>Proposed law</u> provides that the disability must render the member incapable of any employment rather than render him incapable of performing the duties and responsibilities of his position.

<u>Proposed law</u> changes the definition of minor child <u>from</u> a child born of the marriage or adopted child of a member who has not attained the age of eighteen, or who had a disability at the time of the member's death and who remains in such disability status <u>to</u> an unmarried child under the age of eighteen years or child who had a disability at the time of the member's death and who remains disabled. <u>Proposed law</u> defines child as the issue of a marriage of a member, the legally adopted child of a member, the natural child of a female member; or the child of a male member if a court of competent jurisdiction has made an

Page 2 of 3

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

order of filiation declaring the paternity of such a member for the child or the father has formally acknowledged the child.

Effective July 1, 2018.

(Amends R.S. 11:1732(11) and (20))