The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Margaret M. Corley.

DIGEST

SB 13 Original 2019 Regular Session Johns

Present law, relative to the State Police Retirement System, provides for the benefit payable to the surviving spouse of a member killed in the line of duty.

Present law generally provides that a surviving spouse's benefit shall be forfeited upon the remarriage of the spouse. Provides, however, that after June 22, 1993, if the remarriage occurs after the surviving spouse attains age 55, the benefits shall not be discontinued. (R.S. 11:234) Present law (effective June 11, 1999) further provides that the forfeiture of benefits shall not apply to the spouse of a member who was killed in the line of duty.

Present law applicable to employees hired on or after Jan. 1, 2011, requires the benefits that ceased upon remarriage to resume upon the death of or divorce from the new spouse. (R.S. 11:1323)

Proposed law retains present law and allows a surviving spouse of a member killed in the line of duty whose benefit was forfeited upon remarriage which occurred prior to June 11, 1999, to resume receiving the survivor benefit upon the dissolution of the marriage by death or divorce.

Proposed law provides that benefits shall be paid prospectively only.

Effective July 1, 2019.

(Amends R.S. 11:13116(C))