

SENATE BILL NO. 517 (Substitute of Senate Bill No. 388 by Senator Fields)

BY SENATORS FIELDS, ABRAHAM, ALLAIN, BARROW, BERNARD, BOUIE, CATHEY, CLOUD, CONNICK, CORTEZ, FESI, FOIL, HARRIS, HENRY, HENSGENS, HEWITT, JACKSON, JOHNS, LAMBERT, LUNEAU, MCMATH, FRED MILLS, ROBERT MILLS, MIZELL, MORRIS, PEACOCK, POPE, PRICE, REESE, SMITH, TALBOT, WARD, WHITE AND WOMACK AND REPRESENTATIVES AMEDEE, CARPENTER, CORMIER, COX, LARVADAIN AND CHARLES OWEN

1 AN ACT

2 To amend and reenact R.S. 23:1233, relative to law enforcement officers; to provide relative
3 to workers' compensation weekly death benefit of the surviving spouse; to allow
4 continuation of benefits upon remarriage; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 23:1233 is hereby amended and reenacted to read as follows:

7 §1233. Death or marriage of dependent; age limit of minor dependent

8 A.(1) Weekly payments to a surviving spouse shall continue until the death
9 or remarriage of ~~such~~ **the** surviving spouse. In the case of remarriage of a surviving
10 spouse, two years compensation payments shall be payable in one lump sum.

11 (2) Notwithstanding Paragraph (1) of this Subsection, in any case in
12 which the decedent was employed as a law enforcement officer as defined in
13 R.S. 40:1665.2(B) and was killed in the line of duty, the weekly payment to the
14 surviving spouse shall continue until the death of the surviving spouse.

15 B. Weekly payments to a surviving child, physically or mentally
16 incapacitated from earning, shall continue as long as such incapacity exists.

17 C. Weekly payments to a minor dependent child, who is not mentally or
18 physically incapable of wage earning, shall terminate when he dies, marries, reaches
19 the age of eighteen years, or, if enrolled and attending as a full-time student in any
20 accredited educational institution, until he ceases to be so enrolled and attending or
21 reaches the age of twenty-three years.

1 **D.** Weekly payments for all other dependents as determined in Subpart D of
2 **this Part** ~~the Chapter~~ shall continue as long as their dependency shall exist or shall
3 terminate upon their deaths.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____