

2024 Regular Session

HOUSE BILL NO. 29

BY REPRESENTATIVE BACALA

RETIREMENT/CLERKS COURT: Provides relative to benefits of the Clerks' of Court Retirement and Relief Fund

1 AN ACT

2 To amend and reenact R.S. 11:1503(9) and 1524(A)(1), relative to the Clerks' of Court
3 Retirement and Relief Fund; to provide relative to survivors; to provide for optional
4 survivor benefit payments; 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. 11:1503(9) and 1524(A)(1) are hereby amended and reenacted to
10 read as follows:

11 §1503. Definitions

12 As used in this Chapter, the following words and phrases shall have the
13 meanings ascribed to them unless the context clearly indicates otherwise:

14 * * *

15 (9) "Surviving spouse" means the spouse of a deceased member or former
16 member who was married to ~~and living with~~ the deceased member or former member
17 at the time of his death.

18 * * *

1 §1524. Optional benefit payments

2 A. Upon applying for regular or disability retirement benefits and prior to
3 receiving any such benefits, an applicant may elect to receive benefits payable
4 throughout his life or until cessation of total and permanent disability, as the case
5 may be, or he may elect to receive the actuarial equivalent of such benefits in a
6 reduced amount payable throughout his life, or until cessation of total and permanent
7 disability, as the case may be, with the provision that:

8 (1) Option No. 1. If the retiree dies before he has received, in annuity
9 payments purchased by his contributions, the amount of his contributions
10 accumulated ~~at the time of his retirement~~, the balance thereof shall be paid to any
11 person he shall have nominated by written designation, duly acknowledged and filed
12 with the board of trustees at the time of his retirement, or, if none, to his estate; or

13 * * *

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 29 Original 2024 Regular Session Bacala

Abstract: Provides relative to survivors and benefit payments to surviving beneficiaries in the Clerks' of Court Retirement and Relief Fund (Clerks').

Present law provides definitions applicable to the Clerks' retirement system. Provides that "surviving spouse" means the spouse of a deceased member or former member who was married to and living with the deceased member or former member at the time of his death.

Proposed law removes the stipulation that the surviving spouse was *living with* the deceased member or former member. Otherwise retains present law.

Present law provides a retiree with several options for the payment of benefits upon his death. One option is: if the retiree dies before he has received the amount of his contributions at the time of his retirement, the balance is paid to any person he designates or to his estate if there is not a designee.

Proposed law retains present law except that all of the deceased retiree's contributions are paid to the designee or to the estate rather than only those accumulated at the time of retirement.

(Amends R.S. 11:1503(9) and 1524(A)(1))