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

DIGEST

SB 16 Engrossed 2016 Regular Session Peacock

Present law, relative to the Sheriffs' Pension and Relief Fund (Fund), provides for death benefits to be paid to a member's surviving spouse or minor children born of the marriage or both if the member dies while in the line of duty.

Proposed law retains present law and further provides that when a member dies in the line of duty because of an intentional violent act the surviving spouse or minor children or both shall be eligible to receive death benefit in accordance with proposed law.

Proposed law provides that the surviving spouse shall be eligible to receive the greater of 50% of the member's final average compensation (FAC) or a reduced benefit as if the member had retired on the date of death.

Proposed law provides that if the member leaves a child or children in addition to the surviving spouse, the child or children shall be eligible to receive a benefit equaling the difference between the benefit received by the spouse and 100% of the member's FAC. The difference shall be divided equally among the children. Proposed law further provides that in no case shall the benefit total be more than 100% of the member's FAC.

Proposed law provides that when a child reaches the age of 18, the benefit shall cease unless the child is enrolled as a full-time student in good standing at a board-approved or accredited school, college, or university and is under the age of 23.

Proposed law provides that in the event of the death of the surviving spouse while any eligible surviving child or children are still eligible to receive a benefit, the surviving spouse's portion of the death benefit shall be divided equally amongst all eligible children.

Proposed law provides that if there is no surviving spouse, any child or children shall be eligible to receive 100% of the member's FAC divided equally among the surviving children.

Proposed law provides that if there is no surviving spouse, the benefit payable to the minor child or children shall be paid to a trust satisfactory to the Fund and established by law.

Effective June 30, 2016.

(Adds R.S. 11:2178(D)(4))