

ACT No. 44

2015 Regular Session

HOUSE BILL NO. 46

BY REPRESENTATIVES REYNOLDS, ARNOLD, BERTHELOT, BROWN, BURRELL, CARTER, COX, FOIL, GISCLAIR, GUILLORY, HARRISON, HENRY, HILL, HOFFMANN, HOLLIS, HOWARD, HUNTER, IVEY, JACKSON, MIKE JOHNSON, JONES, MILLER, MONTOUCET, NORTON, OURSO, PRICE, RICHARD, SCHEXNAYDER, AND TALBOT

1 AN ACT

2 To amend and reenact R.S. 11:586(A)(introductory paragraph) and (B), 587, 589, 590(B)
3 and (C), and 591(A), relative to benefits for children of certain wildlife agents in the
4 enforcement division of the Department of Wildlife and Fisheries, to authorize
5 receipt of benefits, in certain circumstances, after a child reaches majority; to provide
6 relative to the marital status of such child and his eligibility for benefits; and to
7 provide for related matters.

8 Notice of intention to introduce this Act has been published
9 as provided by Article X, Section 29(C) of the Constitution
10 of Louisiana.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 11:586(A)(introductory paragraph) and (B), 587, 589, 590(B) and
13 (C), and 591(A) are hereby amended and reenacted to read as follows:

14 §586. Death benefits of minor children

15 A. If there is no surviving spouse to receive the pension due a widow of any
16 member under R.S. 11:585, the ~~minor~~ children ~~under eighteen years of age~~ of the
17 deceased member, ~~if any~~, shall receive a monthly pension in the proportions set out
18 herein as follows:

19 * * *

20 B. ~~As each child reaches eighteen years of age~~ When a child no longer meets
21 the definition of minor child as provided in R.S. 11:403, he shall receive no further

1 benefits and the monthly pension shall be reduced by the amount previously paid to
 2 him.

3 §587. Death benefits of parents

4 If there is no surviving spouse and no minor children ~~under eighteen~~, a
 5 monthly pension of twenty-five percent of the average compensation of the deceased
 6 member shall be paid to the parent or parents of the deceased member, if they, or
 7 either of them, derived their main support from the member.

8 * * *

9 §589. Death before age fifty-five

10 The surviving spouse, the minor children ~~under eighteen years of age~~, or the
 11 dependent parents of any member who dies prior to attaining age fifty-five and
 12 whose death occurs other than in the line of duty, but who at the time of death had
 13 at least fifteen years of service credit, shall be entitled to the same pension rights to
 14 which said member would have been entitled had he, at the time of death, retired in
 15 accordance with the provisions of R.S. 11:582, but computed solely on the basis of
 16 the number of years of service to his credit and without regard to his attained age at
 17 time of death.

18 §590. Forfeiture for remarriage

19 * * *

20 B. If there are minor children ~~under eighteen years of age~~, the pension
 21 previously paid to the widow, or the portion thereof to which the deceased member's
 22 minor children ~~under eighteen years of age~~ are entitled under the provisions of this
 23 Subpart, shall be paid to the children in the same manner and for the same length of
 24 time as provided in R.S. 11:586 for the payment of pensions to children.

25 C. If there are no minor children ~~under eighteen years of age~~, the parent or
 26 parents of the deceased member who derived their main support from him shall
 27 receive the pension provided for them under the provisions of R.S. 11:587.

28 §591. Death of retired member

29 A. The surviving spouse, the minor children ~~under eighteen years of age~~, or
 30 the dependent parents of any retired member who dies shall receive as a pension

1 seventy-five percent of the monthly retirement pay which was being paid to the
2 member prior to his death, in the following order of priority:

3 (1) The surviving spouse.

4 (2) The minor children of the deceased member ~~who are under eighteen~~
5 ~~years of age~~, in the same manner and for the same length of time as provided in R.S.
6 11:588.

7 (3) The parents of the deceased, if they furnish to the board satisfactory
8 proof that they were deriving their main support from the deceased member.

9 * * *

10 Section 2. The cost of this Act, if any, shall be funded with additional employer
11 contributions in compliance with Article X, Section 29(F) of the Constitution of Louisiana.

12 Section 3. This Act shall become effective upon signature by the governor or, if not
13 signed by the governor, upon expiration of the time for bills to become law without signature
14 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
15 vetoed by the governor and subsequently approved by the legislature, this Act shall become
16 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____