

GREEN SHEET REDIGEST

HB 1017

2026 Regular Session

Kerner

**RETIREMENT/FIREFIGHTERS: Prohibits certain post-divorce earnable compensation in the Firefighters' Retirement System from being included in a former spouse's portion of community property.**

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DIGEST

Present law (R.S. 11:2252(10)(a)) relative to FRS, defines "earnable compensation" as the full amount of compensation earned by an employee on a regular tour of duty, including supplemental pay paid by the state, but not overtime.

Present law (R.S. 11:2252(5)) further provides that a member's benefit calculation is based on the average of the highest three years of earnable compensation.

Present law (R.S. 9:2801) provides the requirements for the court to partition community property and settle claims arising from matrimonial regimes and co-ownership of former community property.

Proposed law retains present law and further provides that any increase in a firefighter's earnable compensation that occurs following termination of a community of acquets and gains and that was conditional on the member's passage of both a written examination and a working test shall not be included in the calculation of a former spouse's portion of community property.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 11:2256.3)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary A to the engrossed bill

1. Make technical changes.
2. Clarify that an increase of a full-time firefighter's earnable compensation shall not be included in the calculation of a former spouse's community portion of a firefighter's retirement benefits in certain circumstances.