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	* * *	

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1 §1524. Optional benefit payments 2 A. Upon applying for regular or disability retirement benefits and prior to receiving any such benefits, an applicant may elect to receive benefits payable 3 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: (1) Option No. 1. If the retiree dies before he has received, in annuity 8 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 Engrossed	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').

<u>Present law</u> 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.

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

<u>Present law</u> 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 at the time of his retirement or to his estate if there is not a designee.

<u>Proposed law</u> retains <u>present law</u> except to remove the requirement that the designation of a person to receive the contributions occur at the time of his retirement.

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

Summary of Amendments Adopted by House

- The Committee Amendments Proposed by <u>House Committee on Retirement</u> to the <u>original</u> bill:
- 1. Remove requirement that the designation of a person to receive the contributions occur at the time of retirement.