Regular Session, 2011

HOUSE BILL NO. 214

BY REPRESENTATIVE DIXON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

RETIREMENT/MUNICIPAL POL: Allows a member to designate a trustee for survivor benefits payable to a child

AN ACT

To enact R.S. 11:2220(B)(2)(c), relative to the Municipal Police Employees' Retirement System; to allow a member to designate a trustee for survivor benefits payable to a child; to provide an effective date; and to provide for related matters.

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

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 11:2220(B)(2)(c) is hereby enacted to read as follows:

§2220. Benefits; contribution limit

* * *

B. Benefits shall be payable to any survivor of an active contributing member who dies before retirement or a disability retiree who dies after retirement as specified in the following:

* * *

(2)

* * *

(c) If at the time of a member's death the member is not married to the natural parent of any child or children who are entitled to receive a payment pursuant to this Subsection and if a trust has been created by the deceased member for the

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benefit of such child or children, the payment shall be made to any person designated as a trustee by the member on a certified copy of a trust document submitted to the system by the member.

* * *

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

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)]

Dixon HB No. 214

Abstract: Relative to the Municipal Police Employees' Retirement System (MPERS), allows a member to designate a trustee for survivor benefits payable to a child.

Present law (R.S. 11:2220(B)) provides generally for survivor benefits to be payable upon the death of an active member or disability retiree of MPERS. Provides for such survivor benefits to be payable in different amounts depending on whether the deceased member left a surviving spouse and/or children.

Proposed law provides that if the deceased member is not married to the natural parent of his surviving children at the time of death and if a trust has been established under law for the benefit of such children, the system shall pay the children's benefits to the designated trustee of such children.

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

(Adds R.S. 11:2220(B)(2)(c))

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