

RÉSUMÉ DIGEST

ACT 185 (HB 29)

2018 Regular Session

Pearson

Existing law provides for benefits paid to a surviving spouse of a member of the Municipal Employees' Retirement System of La. (MERS) who, at the time of death, had at least five years of creditable service but was not eligible for normal retirement.

Existing law applicable to MERS Plan A provides that a surviving spouse *without* minor children may receive a benefit equal to 40% of the member's final compensation, payable upon the spouse's 60th birthday or upon his becoming disabled, or may receive the actuarial equivalent of 40% of final compensation, but not less than 20%, payable upon the death of the member.

Existing law applicable to MERS Plan B provides that a surviving spouse *with or without* minor children may receive a benefit equal to 30% of the member's final compensation, payable upon the spouse's 60th birthday or upon his becoming disabled, or may receive an actuarial equivalent of 30% of final compensation, but not less than 15%, payable upon the death of the member.

Either benefit under either plan is payable for the life of the spouse.

Existing law requires a surviving spouse opting to receive immediate payments to notify the system of the election. Further provides that such election shall be final and irrevocable.

Prior law required the notification to be made within 90 days of the member's death. New law requires the notification to be made, in writing, within 90 days of the application for benefits.

Effective August 1, 2018.

(Amends R.S. 11:1785(A) and 1805(A)(1)(b) and (2))