

**ACT No. 209**

2016 Regular Session

HOUSE BILL NO. 24

BY REPRESENTATIVE MONTOUCET

1 AN ACT

2 To amend and reenact R.S. 11:2258(A) and (B)(introductory paragraph) and to enact R.S.  
3 11:2258.1, relative to eligibility for disability benefits from the Firefighters  
4 Retirement System; to provide relative to eligibility for disability benefits; to provide  
5 for appeals of board decisions regarding eligibility; and to provide for related  
6 matters.

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

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 11:2258(A) and (B)(introductory paragraph) are hereby amended and  
12 reenacted and R.S. 11:2258.1 is hereby enacted to read as follows:

13 §2258. Disability retirement

14 A.(1) ~~Eligibility~~ Except as provided in Paragraph (2) of this Subsection,  
15 eligibility for disability benefits, procedures for application for disability benefits,  
16 procedures for the certification of continuing eligibility for disability benefits, the  
17 authority of the board of trustees to modify disability benefits, and procedures  
18 governing the restoration to active service of an employee who formerly had a  
19 disability ~~are specifically described and provided for in R.S. 11:201~~ shall be  
20 governed by the provisions of R.S. 11:215 through 224.

21 (2)(a) No member is eligible for a disability benefit if his disability is a direct  
22 or indirect result of a condition that existed prior to membership in this system. For  
23 example but not as a limitation, if a member's disability develops because his service  
24 exacerbates an injury sustained prior to membership in this system, he is not eligible  
25 for benefits stemming from that disability.

