2017 Regular Session

HOUSE BILL NO. 35

1

## BY REPRESENTATIVE CARPENTER

2	To amend and reenact R.S. 11:2258(D), relative to disability retirement benefits of members
3	of the Firefighters' Retirement System; to provide for reporting; to provide a
4	presumption; 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. 11:2258(D) is hereby amended and reenacted to read as follows:
10	§2258. Disability retirement
11	* * *
12	D.(1) Notwithstanding the provisions of R.S. 23:1225, when any member
13	acquires a disability and is entitled to a disability benefit from the retirement system,
14	the disability benefit payable for any month that the member is also receiving
15	worker's workers' compensation benefits shall be reduced, if necessary, so that the
16	total of both benefits shall not exceed the member's average final compensation. The
17	benefit to be paid shall be computed such that the disability benefit from the
18	retirement system and the worker's workers' compensation benefit shall each be paid
19	in respect to the ratio that each individual benefit bears to the total of both benefits,
20	to which the member would be entitled prior to reduction, multiplied by the average
21	final compensation of the member.
22	(2) On or before May thirty-first of each calendar year, the system shall
23	submit to the workers' compensation payor the name, social security number, and

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amount of reduction to the member's benefit payable by the retirement system for the
forthcoming fiscal year. The reported reduction shall be presumed correct unless the
workers' compensation payor objects to the reduction amount by written notice to the
system on or before June thirtieth of the same calendar year.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

**ENROLLED** 

HB NO. 35

APPROVED: \_\_\_\_\_