

HB 1017 -- Redline

Engrossed to Enrolled -- RETIREMENT/FIREFIGHTERS: Prohibits certain post-divorce earnable compensation in the Firefighters' Retirement System from being included in a former spouse's portion of community property (EN NO IMPACT APV)

Deletions ~~struck~~ · Insertions underlined

~~HLS ENROLLED 26RS-583 ENGROSSED~~ Regular Session HOUSE BILL NO.

1017 BY REPRESENTATIVE KERNER ~~RETIREMENT/FIREFIGHTERS: AN ACT~~

To enact R.S. 9:2801(A)(4)(g), relative to retirement benefits received from the Firefighters' Retirement System; Prohibit certain post-divorce earnable compensation in the Firefighters' Retirement System from being included in a former spouse's portion of community property AN ACT To enact R.S.

~~11:2256.5, relative to retirement benefits received from the Firefighters' Retirement System;~~

~~11:2256.59:2801(A)(4)(g)~~ is hereby enacted to read as follows:

~~Sec. 2256.5. Sec. 2801.~~

Benefits; Partition of community property and settlement of claims arising from matrimonial regimes and co-ownership of former community property A.

community. When portion of the Notwithstanding spouses any are provision unable of to law agree to on the a contrary, partition any of increase community in property a or member's on earnable compensation the that settlement occur of following the termination claims of between a community the of spouses acquets arising and either gains from and the that matrimonial was regime, conditioned or on from the member's co-ownership passage of both former a community written property examination following termination of the matrimonial regime, either spouse, as an incident of the and action that would result in a working termination test of shall the not matrimonial be regime included or in upon termination of the calculation matrimonial of regime or thereafter, may institute a former proceeding, spouse's which portion shall of be community conducted property, in accordance with the following rules:

Section* 2- * (4) The court shall then partition the community in accordance with the following rules:

This* Act* shall* become (g) effective upon Notwithstanding signature any by the provision governor of or, law if to not the signed by the governor, upon expiration of the time for bill to become law without signature contrary, by any the increase governor, in as a provided full-time by Article firefighter's III, earnable Section compensation 18 that occurs following termination of the a

Constitution community of acquets and gains and that was conditioned on the firefighter's passage Page 1 of Louisiana. 2 CODING:

If Page 1 of 2 CODING:

~~HLS 26RS-583 ENGROSSED~~ HB NO.

1017 ~~vetoed~~ ENROLLED by the ~~of~~ governor and both subsequently approved by the ~~a~~ legislature, written this examination Act and a working test shall ~~become not effective be on~~ included in the day following calculation ~~such of approval a~~ former spouse's portion of community property.

DIGEST* The digest printed below was prepared by House Legislative* Services.* Section 2.

It This constitutes Act no part shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bill to become law without signature by the governor, as provided by Article III, Section 18 of the legislative Constitution instrument, of Louisiana.

The If keyword, vetoed one-liner, by the abstract, governor and and subsequently approved by the digest legislature, do this not Act constitute shall part become of effective on the law day following or such proof approval. or indicia of legislative intent.

[R.S. SPEAKER OF THE HOUSE OF REPRESENTATIVES PRESIDENT OF THE SENATE GOVERNOR OF THE STATE OF LOUISIANA APPROVED:

~~1:13(B) Page and 2 24:177(E)} of HB 2 1017 CODING: Engrossed 2026 Regular Session Kerner Abstract:~~

~~Prohibits inclusion of certain post-divorce earnable compensation in an ex-spouses's portion of a retirement benefit from the Firefighters' Retirement System (FRS).~~

~~Present law, relative to FRS, defines "earnable compensation" as the full amount of compensation earned by an employee on a regular tour of duty, including supplemental pay paid by the state, but not overtime.~~

~~Present law further provides that a member's benefit calculation is based on the average of the highest three years of earnable compensation.~~

~~Proposed law provides that any increase in a member's earnable compensation that occurs following termination of a community of acquets and gains and that was conditional on the member's passage of both a written examination and a working test shall not be included in the calculation of a former spouse's portion of community property.~~

~~Effective upon signature of governor or lapse of time for gubernatorial action.
(Adds R.S.
11:2256.3) Page 2 of 2 CODING:~~

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