The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Margaret M. Corley.

DIGEST

SB 1 Original 2020 Regular Session Price

Present law provides for an actuary and the duties of the actuary at the Municipal Employees' Retirement System (MERS).

Present law provides for the MERS actuary to make an actuarial investigation of the members at least once every 3 years.

Proposed law changes the requirement for an actuarial investigation from every 3 to 5 years.

Effective June 30, 2020.

(Amends R.S. 11:1826(B))

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Margaret M. Corley.

DIGEST

SB 5 Original 2020 Regular Session Price

Present law provides for the Municipal Employees' Retirement System (MERS) board of trustees to have certain responsibilities, powers, and duties, including each board member's sole fiduciary duty to the system's members and beneficiaries.

Proposed law retains present law.

Proposed law provides the MERS board with the power to deduct monthly life and health insurance premiums from the benefits payable to any retiree or other beneficiary and to transmit them to the agency to which the premiums are due.

Proposed law further provides that the board shall have full authority to formulate and promulgate any and all necessary rules and regulations to facilitate these deductions, including but not limited to requirements for written documentation for deductions.

Effective June 30, 2020.

(Amends R.S. 11:1823(intro para); adds R.S. 11:1823(23))

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Margaret M. Corley.

DIGEST

SB 6 Original 2020 Regular Session Price

Present law provides for certain restrictions relative to the refund of accumulated contributions to a member of the Municipal Employees' Retirement System (MERS) who did not attain retirement eligibility.

Proposed law retains present law.

Present law provides that refunds of accumulated contributions shall not be required to be made to the member or to his estate until and unless the member has been out of service with a participating municipality for thirty days and until all contributions for said member have been submitted by the member's employer.

Proposed law changes "out of service" to "terminated from" for clarification purposes.

Effective June 30, 2020.

(Amends R.S. 11:1759(D))

Coding: Words which are ~~struck through~~ are deletions from existing law; words in **boldface type and underscored** are additions.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Margaret M. Corley.

DIGEST

SB 7 Original 2020 Regular Session Price

Present law provides that a member or survivor eligible for a benefit from the Municipal Employees' Retirement System (MERS) shall make application for such benefit to the board.

Present law provides that the retirement allowance for a member shall commence on the first day of the first month following application for benefits and subsequent board approval.

Proposed law provides that if a written application for any benefit is received by the board within sixty days of the date the applicant became eligible for the benefit, benefits shall be paid retroactive to the date of eligibility.

Proposed law further provides that if an application for any benefit is received by the board more than sixty days after the date the applicant became eligible, retroactive benefits shall be paid only for the sixty days prior to the date the application is received by the board.

Effective June 30, 2020.

(Amends R.S. 11:1756)

HLS 20RS-195 **ORIGINAL**

2020 Regular Session

HOUSE BILL NO. 15

BY REPRESENTATIVE COUSSAN

RETIREMENT/LOCAL: Provides for membership of certain new hires of the Lafayette City-Parish Consolidated Government in the Parochial Employees' Retirement System of Louisiana

AN ACT

To amend and reenact R.S. 11:1753(C) and 1923(C), relative to the Municipal Employees' Retirement System of Louisiana and the Parochial Employees' Retirement System of Louisiana; to provide with respect to membership of certain employees in Lafayette; and to provide for related matters.

Notice of intention to introduce this Act has been published as provided by Article III, Section 13 and Article X, Section 29(C) of the Constitution of Louisiana.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 11:1753(C) and 1923(C) are hereby amended and reenacted to read as follows:

§1753. Membership of employees after consolidation; Terrebonne Parish; Lafayette Parish

* * *

C.(1) Notwithstanding any other provision of law to the contrary, including Subsection A of this Section, any employee first employed on or after November 1, 2010, and prior to November 1, 2020, by any department created by the Home Rule Charter for the Lafayette City-Parish Consolidated Government, other than

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employees first employed by the police and fire departments who are enrolled in the Municipal Police Employees' Retirement System or the Firefighters' Retirement System, and any employee first employed on or after November 1, 2010, by the City Court of Lafayette, inclusive of the office of marshal, but exclusive of the judges of the city court, shall, as a condition of employment, become members of the Municipal Employees' Retirement System of Louisiana if they otherwise satisfy the membership eligibility requirements therefor.

(2) Notwithstanding any other provision of law to the contrary, any employee first employed on or after November 1, 2020, by any department created by the Home Rule Charter for the Lafayette City-Parish Consolidated Government, other than employees first employed by the police and fire departments who are enrolled in the Municipal Police Employees' Retirement System or the Firefighters' Retirement System, and any employee first employed on or after November 1, 2020, by the City Court of Lafayette, inclusive of the office of marshal but exclusive of the judges of the city court, shall, as a condition of employment, become a member of the Parochial Employees' Retirement System of Louisiana if he otherwise satisfies the membership eligibility requirements therefor.

* * *

§1923. Membership of employees after consolidation; Terrebonne Parish; Lafayette Parish

* * *

C.(1) Notwithstanding any other provision of law to the contrary, including Subsection A of this Section, any employee first employed on or after November 1, 2010, and prior to November 1, 2020, by any department created by the Home Rule Charter for the Lafayette City-Parish Consolidated Government, other than employees hired by the police and fire departments who are enrolled in the Municipal Police Employees' Retirement System or the Firefighters' Retirement System, and any employee first employed on or after November 1, 2010, by the City Court of Lafayette, inclusive of the office of marshal, but exclusive of the judges of

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the city court, shall, as a condition of employment, become members of the Municipal Employees' Retirement System of Louisiana if they otherwise satisfy the membership eligibility requirements therefor.

(2) Notwithstanding any other provision of law to the contrary, any employee first employed on or after November 1, 2020, by any department created by the Home Rule Charter for the Lafayette City-Parish Consolidated Government, other than employees hired by the police and fire departments who are enrolled in the Municipal Police Employees' Retirement System or the Firefighters' Retirement System, and any employee first employed on or after November 1, 2020, by the City Court of Lafayette, inclusive of the office of marshal but exclusive of the judges of the city court, shall, as a condition of employment, become a member of the Parochial Employees' Retirement System of Louisiana if he otherwise satisfies the membership eligibility requirements therefor.

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)]

HB 15 Original 2020 Regular Session Coussan

Abstract: Relative to the Municipal Employees' Retirement System (MERS) and the Parochial Employees' Retirement System (PERS), provides that certain employees of the Lafayette City-Parish Consolidated Government, first employed on or after Nov. 1, 2020, shall no longer be members of MERS but shall instead be members of PERS.

Present law, relative to MERS, provides that employees of participating incorporated cities, towns, or villages in La. shall be members of MERS.

Present law, relative to PERS, provides that any permanent employee of a parish shall be a member of PERS.

Present law, relative to both MERS and PERS, provides that if the governing authorities of a municipality and a parish consolidate into one government, those members who were members of MERS at the time of consolidation shall remain members of MERS. Those people employed after such consolidation shall become members of PERS.

Present law provides that notwithstanding present law, any employee of the Lafayette City-Parish Consolidated Government (LCPCG) first employed on or after Nov. 1, 2010, who is in a department created by the LCPCG Home Rule Charter, except for police and firefighters, shall become a member of PERS. Present law also includes certain employees of the city court.

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Proposed law, applicable to the same groups of Lafayette employees, provides that those hired on or after Nov. 1, 2020, shall become members of PERS instead of MERS.

(Amends R.S. 11:1753(C) and 1923(C))

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DIGEST

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HB 19 Original 2020 Regular Session Bacala

Abstract: Authorizes the Municipal Police Employees' Retirement System (MPERS) to increase required employer contribution rates in certain circumstances and establishes a funding deposit account within the system for collection of contribution remittances above the actuarially required amount.

Present law provides for employer contribution rates within MPERS. Provides that in any fiscal year during which the recommended employer contribution rate would otherwise be decreased, the board of trustees may either maintain the previous fiscal year's employer contribution rate or set the employer contribution rate at any point between the previous year's rate and the recommended rate.

Present law further provides that any excess funds resulting from the board's exercise of its authority shall be combined with any contribution surplus, or offset by any contribution shortfall, and the resulting balance, if greater than zero, shall be applied for the following purposes:

(1) To reduce system unfunded accrued liabilities.

(2) To reduce the outstanding amortization charge base or bases.

Proposed law retains present law and provides that excess funds, after compliance with present law, shall be applied to a contribution surplus base or to reduction of the present value of future normal costs.

Present law provides a formula for determining the required employer contribution rates for the statewide retirement systems. Present law grants certain statewide retirement systems the authority to increase required employer contribution rates up to 3% more than the rate determined under present law. Proposed law grants MPERS the same authority.

Present law (R.S. 11:107.1) establishes a "funding deposit account" in certain statewide systems. Funds collected pursuant to present law in excess of minimum required employer contribution rates are credited to this account and may be used by the board of trustees of the system for the following purposes:

(1) Reduce system unfunded accrued liabilities.

(2) Reduce future employer contribution rates.

(3) Pay cost-of-living adjustments.

Proposed law establishes a funding deposit account within MPERS and further provides that the system may only provide for cost-of-living adjustments from the funding deposit account.

Present law provides that MPERS may provide a supplemental cost-of-living adjustment from interest income from investments to all retirees and beneficiaries who are 65 years of age or over provided certain requirements are met. Proposed law provides that after June 30, 2020, the first of such cost-of-living increase may be funded under present law, and any such cost-of-living increase thereafter may only be funded through the funding deposit account.

Effective June 30, 2020.

(Adds R.S. 11:105(A)(8), 106(A)(5), 107(A)(7), 107.1(A)(7) and (D)(5), and 246(C); Repeals R.S. 11:107.2 and 2225(A)(7))

HLS 20RS-198 **ORIGINAL**

2020 Regular Session

HOUSE BILL NO. 20

BY REPRESENTATIVE SCHAMERHORN

RETIREMENT BENEFITS: (Constitutional Amendment) Provides relative to the retirement and insurance benefits of elected officials

A JOINT RESOLUTION

Proposing to add Article X, Section 23.1 of the Constitution of Louisiana, to prohibit the use of public funds to pay retirement plan contributions and insurance premiums of elected public officials; to provide for submission of the proposed amendment to the electors; 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.

Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members elected to each house concurring, that there shall be submitted to the electors of the state of Louisiana, for their approval or rejection in the manner provided by law, a proposal to add Article X, Section 23.1 of the Constitution of Louisiana, to read as follows:

§23.1. Use of Public Funds for Elected Public Officials; Prohibition

Section 23.1. No public funds of the state or of any political subdivision may be used to pay either of the following for or on behalf of an elected public official who is elected to office after January 1, 2021:

(1) Contributions to any retirement system, plan, or fund.

(2) Payment of life or health insurance premiums.

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Section 2. Be it further resolved that this proposed amendment shall be submitted to the electors of the state of Louisiana at the statewide election to be held on November 3, 2020.

Section 3. Be it further resolved that on the official ballot to be used at the election, there shall be printed a proposition, upon which the electors of the state shall be permitted to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as follows:

Do you support an amendment to prohibit the use of public funds to pay for retirement contributions and insurance premiums for elected officials? (Adds Article X, Section 23.1)

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)]

HB 20 Original 2020 Regular Session Schamerhorn

Proposed constitutional amendment prohibits the use of state and local public funds to pay for retirement contributions and life and health insurance premiums of elected officials elected after Jan. 1, 2021.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Nov. 3, 2020.

(Adds Const. Art. X, §23.1)

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