

2021 Regular Session

HOUSE BILL NO. 22

BY REPRESENTATIVE LACOMBE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

RETIREMENT/TEACHERS: Provides relative to Louisiana School Boards Association employees' membership in retirement systems

1 AN ACT

2 To amend and reenact R.S. 11:701(33)(a)(xiv) and 1902(12)(b) and (13) and to enact R.S.
3 11:701(33)(a)(xv), 1902(12)(h) and (i), and 1903.1, relative to the Parochial
4 Employees' Retirement System and the Teachers' Retirement System of Louisiana;
5 to provide for membership of Louisiana School Boards Association employees
6 within the Teachers' Retirement System of Louisiana, rather than the Parochial
7 Employees' Retirement System; to provide for exceptions; to provide for payment
8 of accrued liabilities; to provide for an effective date; and to provide for related
9 matters.

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

13 Be it enacted by the Legislature of Louisiana:

14 Section 1. R.S. 11:701(33)(a)(xiv) and 1902(12)(b) and (13) are hereby amended and
15 reenacted and R.S. 11:701(33)(a)(xv), 1902(12)(h) and (i), and 1903.1 are hereby enacted
16 to read as follows:

17 §701. Definitions

18 As used in this Chapter, the following words and phrases have the meanings
19 ascribed to them in this Section unless a different meaning is plainly required by the
20 context:

21 * * *

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 (33)(a) "Teacher", except as provided in Subparagraph (b) of this Paragraph,
2 shall mean any of the following:

3 * * *

4 (xiv) The director of the Louisiana School Boards Association and any
5 employee of the association who was either hired by the association after June 30,
6 2021, or who, as of June 30, 2021, has at least five years of creditable service in the
7 system.

8 (xv) In all cases of doubt, the board of trustees shall determine whether any
9 person is a teacher within the scope of the definition set forth in this Paragraph.

10 * * *

11 §1902. Definitions

12 As used in this Chapter, the following words and phrases shall have the
13 following meanings, unless a different meaning is plainly required by context:

14 * * *

15 (12)

16 * * *

17 (b) "Employee" shall also mean a person employed by either the Police Jury
18 Association of Louisiana, ~~the Louisiana School Boards Association,~~ or this
19 retirement system and elected officials of the governing authority of any parish
20 covered by this Chapter, and shall include members of school boards at their options.
21 ~~In any case of doubt, the board of trustees shall be the sole judge of who is an~~
22 ~~employee.~~

23 * * *

24 (h) "Employee" also means an employee of the Louisiana School Boards
25 Association who meets all of the following:

26 (i) He was hired by the association before July 1, 2021.

27 (ii) He, as of June 30, 2021, has less than five years of creditable service in
28 the Teachers' Retirement System of Louisiana.

29 (iii) He is not the director of the Louisiana School Boards Association.

- 1 vetoed by the governor and subsequently approved by the legislature, this Act shall become
2 effective on the day following such approval.

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 22 Engrossed

2021 Regular Session

LaCombe

Abstract: Provides for the transfer of certain employees of the La. School Boards Assoc. from the Parochial Employees' Retirement System of La. (PERS) to the Teachers' Retirement System of La. (TRSL).

Present law provides that employees of the La. School Boards Assoc. are members of PERS.

Proposed law provides that the following employees of the association are members of TRSL instead:

- (1) New employees (hired after June 30, 2021).
- (2) Any employee with at least five years of service credit in TRSL.
- (3) The director of the association.

Proposed law provides that employees who do not fit one of these criteria remain members of PERS.

Proposed law provides that if an employee of the association who is a member of PERS separates from service, the association shall remit to PERS a portion of unfunded accrued liability (UAL) attributable to the vacated position.

Proposed law provides the amount of the UAL is determined by the actuary of the system.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 11:701(33)(a)(xiv) and 1902(12)(b) and (13); Adds R.S. 11:701(33)(a)(xv), 1902(12)(h) and (i), and 1903.1)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Retirement to the original bill:

1. Add provisions for paying UAL to PERS should an employee separate from service with the La. School Boards Assoc.