

SENATE BILL NO. 21

BY SENATOR ROBERT MILLS

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

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AN ACT

To enact R.S. 11:163.2, relative to the Municipal Employees' Retirement System; to provide for credit for involuntary furlough and leave without pay; to provide with respect to the purchase of service and salary credit lost as a result of COVID-related involuntary furlough or leave for certain employees; to provide with respect to payment for service purchased; to provide for limitations; to provide for implementation; to provide for an effective date; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 11:163.2 is hereby enacted to read as follows:

**§163.2. Involuntary furlough; service and salary credit; credit for leave without pay**

**A.(1) Any member of the Municipal Employees' Retirement System of Louisiana who, due to the COVID-19 pandemic, was involuntarily furloughed without pay due to a reduction-in-force of his employer or was involuntarily furloughed or placed on leave without pay may purchase service and salary credit for each day of service during the period beginning on April 1, 2020, and ending on November 30, 2020, that he was furloughed or on such leave if such**

1 service was not credited to his account, subject to the limitations contained in  
2 Subsection B of this Section.

3 (2) A member who purchases service and salary credit pursuant to this  
4 Section shall pay to the system or to his employer the employee and employer  
5 contributions which would have been remitted to the system by his employer if  
6 not for the involuntary furlough or leave without pay. Such contributions, if  
7 paid to the employer, shall be remitted by the employer to the system. The  
8 member shall remit the contributions no later than December 31, 2021.

9 B. Any service and salary credit purchased pursuant to this Section shall  
10 be subject to the following conditions and limitations:

11 (1) There shall be no duplication of service credit.

12 (2) The employer shall certify the loss of service credit was due to the  
13 COVID-19 pandemic.

14 (3) The purchased service and salary credit may not be used for the  
15 purpose of meeting the minimum service requirements for disability retirement.

16 (4) Compensation on which the required contributions for purchase of  
17 service and salary credit are based shall be the rate of compensation in effect for  
18 the last full pay period ending on or before the date the member was furloughed  
19 or placed on leave without pay.

20 (5) The right to purchase service and salary credit pursuant to this  
21 Section shall not apply to routine personnel actions or separations which are not  
22 the direct result of the COVID-19 pandemic.

23 (6) Any dispute arising under the limitations of this Subsection shall be  
24 resolved in the sole and exclusive discretion of the board of trustees of the  
25 retirement system.

26 C. The board of trustees may adopt rules to implement the provisions of  
27 this Section.

28 Section 2. This Act shall become effective upon signature by the governor or, if not  
29 signed by the governor, upon expiration of the time for bills to become law without signature  
30 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

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

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

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