
The original instrument was prepared by Laura Gail Sullivan. The following digest, which does not constitute a part of the legislative instrument, was prepared by Margaret M. Corley.

SB 8 Engrossed DIGEST Peacock
2017 Regular Session

Proposed law provides for the correction of an enrollment error for a person incorrectly enrolled in any La. public pension or retirement system, plan, or fund who should have been enrolled in one of the state or statewide retirement systems.

The state systems are:

- (1) La. State Employees' Retirement System (LASERS).
- (2) Teachers' Retirement System of La. (Teachers' or TRSL).
- (3) La. School Employees' Retirement System (LSERS).
- (4) La. State Police Retirement System (TROOPERS).

The statewide systems are:

- (1) Assessors' Retirement Fund (Assessors).
- (2) Clerks' of Court Retirement and Relief Fund (Clerks).
- (3) District Attorneys' Retirement System (DARS).
- (4) Firefighters' Retirement System (FRS).
- (5) Municipal Employees' Retirement System of La. (MERS).
- (6) Municipal Police Employees' Retirement Systems (MPERS).
- (7) Parochial Employees' Retirement System of La. (PERS).
- (8) Registrar of Voters Employees' Retirement System (ROVERS).
- (9) Sheriffs' Pension and Relief Fund (Sheriffs).

Proposed law provides that any person who was enrolled in the wrong system by error but who should have been in one of the systems covered by proposed law shall be transferred to the system for which his employment makes him eligible.

Proposed law provides that the employee shall be notified of the error by the incorrect system. Requires the incorrect system to initiate the transfer within 30 days of the date the error is discovered.

Proposed law provides for restoration of forfeited service credit at the incorrect system if the employee repays any refund received from the incorrect system. Provides for the transfer of the restored service credit and associated funds to the correct system.

Proposed law provides for calculation and transfer of funds from the incorrect system to the correct system. Specifies that upon transfer of all the money required pursuant to proposed law from the incorrect system to the correct system, all of the employee's service credit shall be transferred to the correct system and the employee's refundable contribution balance shall be equal to the contributions he would have paid to the correct system if the employee had been properly enrolled.

Proposed law provides for calculation of the amount necessary to fund the actuarial liability created by receipt of the service credit by the correct system. Requires the employer to pay any deficit between the amount the incorrect system transferred to the correct system and the amount necessary to fund the liability created by receipt of the service credit.

Proposed law provides for any overpayment of employee contributions to be refunded to the employee. Provides for any overpayment by the employer to be refunded to the employer.

Present law (R.S. 11:896(C)), relative to the Teachers' system only, provides for enrollment in that system of a person employed in a position covered by the system who was not enrolled in any public retirement system. Provides the person may establish service credit for the time he should have been a member of this system only under the provisions of present law (R.S. 11:888).

Proposed law retains present law and redesignates it as R.S. 11:888.1.

Present law provides that any person who has at least 10 years of creditable service in the MPERS and is or was a member of the police department for the city of Lafayette, and who becomes employed in a position making him eligible for another state or statewide retirement system, can continue to be a member of MPERS. Proposed law repeals present law.

Effective June 30, 2017.

(Adds R.S. 11:143.1 and 888.1; repeals R.S. 11:896, 1119, and 2214.1)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Retirement to the original bill

1. Repeals present law which provides that any person who has at least 10 years of creditable service in the MPERS and is or was a member of the police department for the city of Lafayette, and who becomes employed in a position making him eligible

for another state or statewide retirement system, can continue to be a member of MPERS.