

RÉSUMÉ DIGEST

ACT 285 (SB 8)

2017 Regular Session

Peacock

New 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).

New 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 new law shall be transferred to the system for which his employment makes him eligible.

New 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.

New 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.

New 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 new 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.

New 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.

New 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.

Prior law (R.S. 11:896(C)), relative to the Teachers' system only, provided 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. Provided the person may establish service credit for the time he should have been a member of this system only under the provisions of prior law (R.S. 11:888).

New law retains prior law and redesignates it as R.S. 11:888.1.

Prior law provided 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. New law repeals prior law.

Effective June 30, 2017.

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