

ACT No. 45

2018 Regular Session

HOUSE BILL NO. 34

BY REPRESENTATIVE PEARSON

1 AN ACT

2 To amend and reenact R.S. 11:316, relative to investments by the state and statewide
3 retirement systems; to provide for investment in terror-free funds or accounts; and
4 to provide for related matters.

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

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 11:316 is hereby amended and reenacted to read as follows:

10 §316. Terror-free ~~index~~ fund

11 A. As used in this Section, the following terms shall have the following
12 meaning unless a different meaning is clearly required by the context:

13 (1) "Screened equities" means stocks or other ownership interest in a
14 company identified as having facilities or employees ~~or both~~ located in a prohibited
15 nation, which equities are excluded from the terror-free ~~index~~ fund.

16 (2) "Terror-free equities" means equities in companies not identified as
17 having facilities or employees ~~or both~~ located in a prohibited nation.

18 (3) "Terror-free ~~index~~ fund" means an international ~~index~~ fund or separately
19 managed account which identifies equities in companies having facilities or
20 employees ~~or both~~ located in a prohibited nation and excludes them from the fund.

21 B. Each system or fund to which this Subpart applies that has an investment
22 strategy which includes allocation to international markets shall, ~~within sixty days~~

1 after August 15, 2007, communicate with investment managers with international
 2 investment experience for the establishment of an international terror-free ~~index~~ fund
 3 ~~which identifies and excludes from the fund companies having facilities or~~
 4 ~~employees or both in a prohibited nation.~~ The communication shall stipulate that,
 5 as part of managing such fund, the manager ~~will~~ shall replace the screened equities
 6 with comparable terror-free equities, sell the screened equities, or ~~will~~ adjust the
 7 weighting of remaining equities held in a system's portfolio. Each system having an
 8 investment strategy which includes allocation to international markets shall, ~~within~~
 9 ~~one hundred eighty days after August 15, 2007~~, allocate a portion of its international
 10 investments to such terror-free index fund.

11 C. If a system having an investment strategy which includes allocation to
 12 international markets does not possess sufficient assets to meet the minimum
 13 investment required by the manager to create a terror-free ~~index~~ fund on the system's
 14 behalf alone, such system shall join an existing terror-free ~~index~~ fund established
 15 pursuant to this Section; or shall join with another system to meet such minimum
 16 investment requirements for the purpose of establishing a terror-free ~~index~~ fund
 17 common to those systems.

18 D. Each system shall adopt rules necessary to implement the provisions of
 19 this Section.

20 E. Each system shall report compliance with this Section to the House of
 21 Representatives and Senate committees on retirement as part of the report submitted
 22 pursuant to R.S. 11:312(C).

23 F. Nothing in this Section shall require a system to invest in international
 24 markets ~~or to utilize collective funds or index funds for such purpose~~ unless
 25 otherwise part of the investment strategy adopted by the system. If a system invests
 26 in international markets and utilizes collective funds or index funds for such purpose,
 27 this Section shall apply.

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.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____