

2020 Regular Session

SENATE BILL NO. 19

BY SENATOR PEACOCK

RETIREMENT SYSTEMS. Provides for state and statewide retirement systems. (6/30/20)

1 AN ACT

2 To amend and reenact R.S. 11:186, relative to state and statewide retirement systems; to  
3 provide relative to meetings of system boards of trustees; to provide for  
4 representation during executive sessions of the boards and committees of such  
5 systems; to provide for written authorization; to provide for an effective date; and to  
6 provide for related matters.

7 Notice of intention to introduce this Act has been published.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 11:186 is hereby amended and reenacted to read as follows:

10 §186. Authorization for staff to attend executive sessions

11 A. The ~~chairman of the~~ **member appointed to each board from the** House  
12 Committee on Retirement and the chairman of the Senate Committee on Retirement  
13 may each independently authorize legislative staff to attend any executive session  
14 of any board meeting or committee meeting of any state or statewide retirement  
15 system board or committee **of which the legislator is a member**.

16 B.(1) An authorization made pursuant to the provisions of this Section shall  
17 be made in writing, specifically name the legislative staff member or members

1 authorized to attend such executive sessions, and be submitted to the director of the  
 2 state or statewide retirement system board whose executive sessions staff shall be  
 3 authorized to attend. ~~Such~~ **The** authorization shall be valid for ~~one calendar year~~  
 4 ~~from the date of submission~~ **the duration of the authorizing legislator's**  
 5 **membership on the board**, unless modified or revoked as provided in Paragraph (2)  
 6 of this Subsection.

7 (2) ~~The chairman of the House Committee on Retirement and the chairman~~  
 8 ~~of the Senate Committee on Retirement are authorized to~~ **A legislator who has**  
 9 **authorized staff to attend executive sessions of any board may** revoke or modify  
 10 any written authorization made pursuant to this Section at any time by providing  
 11 written notice to the director of the affected board. A revocation shall immediately  
 12 terminate the authorization made pursuant to this Section. A modification shall act  
 13 as a new written authorization ~~and shall be valid for one calendar year from the date~~  
 14 ~~submitted~~ **pursuant to Paragraph (1) of this Subsection.**

15 C. Legislative staff authorized to attend executive ~~session~~ **sessions** pursuant  
 16 to this Section have the same rights, duties, and privileges, including the ~~lawyer-~~  
 17 ~~client~~ **attorney-client** privilege, which apply to the legislators as members of the  
 18 board, ~~as they relate~~ **relative** to any information or communication that is provided  
 19 to or presented in the presence of such legislative staff in executive session.

20 D. A legislative staff member authorized to attend meetings pursuant to the  
 21 provisions of this Section shall not be considered a "designee" as provided in R.S.  
 22 11:181 ~~or~~ **, R.S. 42:1124.2.1, or any successor statute** and shall not be allowed to  
 23 vote.

24 Section 2. This Act shall become effective on June 30, 2020; if vetoed by the  
 25 governor and subsequently approved by the legislature, this Act shall become effective on  
 26 June 30, 2020, or on the day following such approval by the legislature, whichever is later.

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Margaret M. Corley.

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## DIGEST

SB 19 Original

2020 Regular Session

Peacock

Present law creates the state and statewide retirement systems and the boards which govern these systems.

Proposed law retains present law.

Present law (R.S. 42:16 and 17) provides that in certain limited circumstances, public bodies may enter into executive session to discuss certain business outside of the public arena.

Proposed law retains present law.

Present law (R.S. 24:8) authorizes any member of the legislature to attend any meeting (including executive sessions) of any state board, commission, agency, or committee.

Proposed law retains present law.

Present law provides for the chairman of the Senate Committee on Retirement and a member of the House Committee on Retirement appointed by the Speaker to be members of each state and statewide retirement system board.

Proposed law retains present law.

Present law permits each of the chairmen of the House and Senate Committees on retirement, as legislators and ex officio members of each of the state and statewide retirement system boards, to authorize legislative staff members to attend any executive session of any board or committee meeting of any state or statewide retirement system.

Proposed law changes the chairman of the House Committee on Retirement to the member of the House Committee on Retirement appointed by the Speaker. Specifies that the legislator may authorize staff to attend executive sessions only of a board of which the legislator is a member.

Present law further requires any such authorization to be in writing, to specifically name the authorized staff, and to be submitted to the director of the board whose executive sessions staff will be attending. Provides that such written authorization is valid for one calendar year from the date of submission.

Proposed law retains present law but changes the time period from one year to the period of time the member is on the board.

Present law permits a legislator to revoke or modify a written authorization at any time. Provides requirements and mechanisms.

Proposed law retains present law.

Effective June 30, 2020.

(Amends R.S. 11:186)