

2022 Regular Session

HOUSE BILL NO. 18

BY REPRESENTATIVE BACALA

RETIREMENT/MUNICIPAL POL: Provides relative to the reemployment of retired members of the Municipal Police Employees' Retirement System

1 AN ACT

2 To amend and reenact R.S. 11:2220(J)(1) and enact R.S. 11:2220(J)(4), relative to the
3 Municipal Police Employees' Retirement System; to provide relative to
4 reemployment of retirees in the system; to provide for the payment of retirement
5 benefits during reemployment; to provide for compensation and contributions during
6 reemployment; and to provide for related matters.

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

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 11:2220(J)(1) is hereby amended and reenacted and R.S.
12 11:2220(J)(4) is hereby enacted to read as follows:

13 §2220. Benefits; contribution limit

14 * * *

15 J.(1)(a) ~~The~~ Except as provided in Paragraph (4) of this Subsection, the
16 benefits of any retiree of this system who retires on or after July 1, 2021, who had
17 less than thirty years of service credit at the time of his retirement, and becomes
18 employed by an employer but does not meet the definition of an employee within the
19 twenty-four-month period immediately following the effective date of his retirement
20 shall be suspended for the duration of such employment or the lapse of twenty-four

1 months from the effective date of retirement, whichever occurs first, even if such
2 service is part-time, based on employment by contract, or in a non-qualifying
3 position.

4 (b) The suspension of the retirement benefits required by Subparagraph (a)
5 of this Paragraph does not apply to a retiree who had thirty or more years of service
6 credit on the effective date of his retirement.

7 (c) Notwithstanding any provisions of this Subsection that authorizes
8 payment of retirement benefits to a retiree of this system who is reemployed under
9 the conditions specified in Subparagraph (a) of this Paragraph, no such reemployed
10 retiree shall receive a retirement benefit during the sixty-day period following the
11 effective date of his retirement.

12 * * *

13 (4)(a) The benefits of a retiree of this system who is reemployed under the
14 conditions specified in Subparagraph (1)(a) of this Subsection shall not be suspended
15 for employment as either a police officer for not more than one hundred hours per
16 month or as an elected official other than a chief of police. Except as provided in
17 Subparagraph (b) of this Paragraph, during such reemployment, the retiree and his
18 employer shall make contributions to the retirement system as provided by this
19 Chapter, but the retiree shall receive no additional service credit and shall not accrue
20 any additional retirement benefit in the retirement system. Upon termination of
21 reemployment, employee contributions paid since reemployment shall, upon
22 application, be refunded to the retiree without interest. The retirement system shall
23 retain the employer contributions and interest on contributions.

24 (b) Employer and employee contributions to this system are not required for
25 a retiree reemployed as an elected official if the position is covered by another
26 Louisiana retirement system and contributions are being made to that system.

27 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 18 Original

2022 Regular Session

Bacala

Abstract: Provides for the reemployment of certain retirees into the Municipal Police Employees' Retirement System (MPERS).

Present law provides relative to MPERS retirees who return to work covered by the system.

Present law, generally applicable to full-time reemployment, provides that if the retiree becomes an employee, payment of retirement benefits is suspended and the employee and employer contribute to the system toward creditable service. Upon termination of post-retirement employment, the retiree shall receive an additional retirement benefit based on his additional service.

Proposed law retains present law.

Present law, generally applicable to other reemployment including contract and part-time employment, provides that the retirement benefit of a retiree who returns to work for an employer in the system is suspended during any such employment that occurs within 24 months of the person's retirement.

Proposed law provides that this required suspension does not apply to those who retired with 30 years or more of service credit.

Proposed law further provides that this required suspension does not apply to employment as a police officer for not more than 100 hours per month or as an elected official other than a police chief. Proposed law requires payment of employer and employee contributions to the system during such employment except for an elected official who is a member of another retirement system. Provides for a refund of the employee contributions.

Proposed law requires a suspension of retirement benefits during the first 60 days after retirement even for those otherwise exempted from the suspension required by present law.

(Amends R.S. 11:2220(J)(1); Adds R.S. 11:2220(J)(4))