

2024 Regular Session

HOUSE BILL NO. 15

BY REPRESENTATIVE FONTENOT

1 AN ACT

2 To amend and reenact R.S. 11:2213(11)(a)(iii) and 2220(A)(2)(a) and to enact R.S.  
3 11:2213(11)(i) and (j), 2214.1, 2220(A)(4), and 2241.4(A)(4), relative to the  
4 Municipal Police Employees' Retirement System; to provide for eligibility for  
5 retirement; to provide relative to benefits of certain retirees; to provide for  
6 termination of membership of certain elected officials; to provide for definitions; to  
7 authorize certain reemployment of retirees without benefit suspension; to provide for  
8 payment of contributions; and to provide for related matters.

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

12 Be it enacted by the Legislature of Louisiana:

13 Section 1. R.S. 11:2213(11)(a)(iii) and 2220(A)(2)(a) are hereby amended and  
14 reenacted and R.S. 11:2213(11)(i) and (j), 2214.1, 2220(A)(4), and 2241.4(A)(4) are hereby  
15 enacted to read as follows:

16 §2213. Definitions

17 \* \* \*

18 (11) "Employee" shall mean any of the following classifications:

19 (a)

20 \* \* \*

21 (iii) Any person ~~in a position as defined in the municipal fire and police civil~~  
22 ~~service system~~ who is employed on a full-time basis by a police department of any

1 municipality of this state, who is under the direction of a chief of police, and who is  
2 ~~paid from the budget of the applicable police department~~ does not meet any other  
3 definition of employee.

4 \* \* \*

5 (i) Notwithstanding any provisions of Item(a)(iii) of this Paragraph to the  
6 contrary and in conformity with the provisions of R.S. 11:2214(A)(2)(b), "employee"  
7 shall mean any person employed by the Baton Rouge Police Department who is a  
8 law enforcement employee and "employee" shall not mean any person employed by  
9 the Baton Rouge Police Department who is not a law enforcement employee. For  
10 purposes of this Subparagraph, "law enforcement employee" means any person  
11 occupying a position within a class title that, subject to the merger agreement, was  
12 included in the membership of the system on the effective date of this Subparagraph.  
13 For any position in the Baton Rouge Police Department within a class title created  
14 after the effective date of this Subparagraph, "law enforcement employee" shall  
15 mean a person occupying a position that makes the person eligible to receive state  
16 supplemental pay.

17 (j) Any person who is not a full-time police officer and who on June 30,  
18 2024, met the definition of employee only under Item (a)(iii) of this Paragraph and  
19 was enrolled in another municipal retirement system is not an employee.

20 \* \* \*

21 §2214.1. Termination of membership; certain elected officials

22 A member of this system who is elected, who is eligible for retirement from  
23 this system, and who is eligible, for the same employment, for membership in  
24 another statewide retirement system may terminate his membership in this system  
25 upon his enrollment in the other system. If such member enrolls in another system,  
26 he shall file a notice of such enrollment in writing with the board of this system, and  
27 all employer and employee contributions to this system by or on behalf of the  
28 member shall cease upon receipt by the board of the notice. The former member  
29 may apply for retirement from this system and receive this retirement benefit any

1 time after the termination of his membership in this system regardless of whether he  
2 terminates the employment that made him eligible for membership.

3 \* \* \*

4 §2220. Benefits; contribution limit

5 A. Eligibility for normal retirement, early retirement, and limitations.

6 \* \* \*

7 (2)(a)(i) ~~Regardless~~ Except as provided by Item (ii) of this Subparagraph,  
8 regardless of age, if a retiree of this system becomes an employee as defined in R.S.  
9 11:2213, payment of retirement benefits shall be suspended and the employee and  
10 employer shall contribute to the system toward creditable service.

11 (ii) The benefits of a retiree of the system who retires as a police officer  
12 during the period beginning July 1, 2024, and ending June 30, 2026, and who, no  
13 sooner than ninety days following the date of his retirement, is first employed as an  
14 employee under R.S. 11:2213(11)(a)(iii) shall not be suspended if the retiree  
15 irrevocably elects not to receive additional service credit or accrue any additional  
16 retirement benefit in the retirement system. Such election shall be in writing and  
17 filed with the board of trustees within thirty days after the effective date of the  
18 retiree's employment. During such employment, the retiree and his employer shall  
19 make contributions to the retirement system as provided by this Chapter. Upon  
20 termination of employment as an employee under R.S. 11:2213(11)(a)(iii), employee  
21 contributions paid since reemployment shall, upon application, be refunded without  
22 interest, to the retiree. The retirement system shall retain the employer contributions  
23 and interest on the contributions.

24 \* \* \*

25 (4)(a) The retirement benefit of a retiree of this system who retired on or  
26 before January 1, 2024, and who, before July 1, 2028, becomes an employee, as  
27 defined by R.S. 11:2213, no sooner than ninety days following the effective date of  
28 his retirement shall not be suspended as otherwise required by Paragraph (2) of this

Subsection if the retiree retired with twenty-five years of service credit or retired with twenty or more years of service credit and has attained the age of fifty-five.

(b) During such reemployment, the retiree and his employer shall make contributions to the retirement system as provided by this Chapter, but the retiree shall receive no additional service credit and shall not accrue any additional retirement benefit in the retirement system. Upon termination of reemployment, employee contributions paid since reemployment shall, upon application, be refunded to the retiree without interest. The retirement system shall retain the employer contributions and interest on contributions.

\* \* \*

§2241.4. Eligibility for retirement

A. Any member of this subplan shall be eligible for retirement if he has:

\* \* \*

(4) Seven years or more of service, at age sixty-two or thereafter, if he is an elected chief of police who is not eligible for retirement under Paragraph (1), (2), or (3) of this Subsection and is prohibited from continuing employment as a chief with the same employer due to term limits. Any person retiring under this Paragraph shall provide sufficient documentation to the retirement system proving that he meets these requirements and shall irrevocably elect not to receive additional service credit or accrue any additional retirement benefit in the retirement system if he subsequently becomes reemployed. Such election shall be in writing and filed with the board of trustees before the effective date of the retiree's retirement. During any subsequent employment, the retiree and his employer shall make contributions to the retirement system as provided by this Chapter. Upon termination of subsequent employment, employee contributions paid since reemployment shall, upon application, be refunded, without interest, to the retiree. The retirement system shall retain the employer contributions and interest of the contributions.

\* \* \*

1           Section 2. This Act shall become effective upon signature by the governor or, if not  
2 signed by the governor, upon expiration of the time for bills to become law without signature  
3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
4 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
5 effective on the day following such approval.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_