

2026 Regular Session

SENATE BILL NO. 494

BY SENATOR CARTER

DISTRICT ATTORNEYS RET. Provides relative to the District Attorneys' Retirement System. (8/1/26)

1 AN ACT

2 To amend and reenact R.S. 11:1581(11), 1631(F)(1), and the introductory paragraph of
3 1631(F)(2) and to enact R.S. 11:1631(F)(3) and (4), relative to the District Attorneys'
4 Retirement System; to provide relative to benefits of reemployed retirees; to provide
5 for reports to the retirement system; to provide for definitions; and to provide for
6 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. 11:1581(11), 1631(F)(1), and the introductory paragraph of
10 1631(F)(2) are hereby amended and reenacted and R.S. 11:1631(F)(3) and (4) are hereby
11 enacted to read as follows:

12 §1581. Definitions

13 The following words and phrases, as used in this Chapter, unless a different
14 meaning is plainly required by the context, shall have the following meanings:

15 * * *

16 (11) "Employer" shall mean any parish in the state of Louisiana; the state of
17 Louisiana; or the police jury or any other governing body of a parish or political

1 corporation or subdivision of the state of Louisiana which employs and pays persons
2 as district attorneys or assistant district attorneys. "Employer" shall also mean this
3 retirement system **and the Louisiana District Attorneys' Association.**

4 * * *

5 §1631. Retirement benefits; application; eligibility requirements

6 * * *

7 F.(1) Except as provided in Paragraph (2) of this Subsection, if any member
8 who has retired from this system is reemployed as an employee by any district
9 attorney **or employer** in the state, his retirement benefit shall be suspended during
10 said employment, and he shall not be paid any benefits for the period covered by
11 such employment. He shall, upon such reemployment, again become an active
12 contributing member of the system, with the option of establishing service credit for
13 any period of full-time employment as ~~district attorney or assistant district attorney~~
14 **an employee** since returning to such employment following retirement by payment
15 into the system the employer and employee amount plus interest that would have
16 been withheld and paid into the system for that period based upon his total salary for
17 such period. He shall accrue a supplemental retirement benefit based on his service
18 rendered after reemployment. If the member continues employment after retirement
19 for a period of less than sixty months, his supplemental monthly retirement benefit
20 shall equal the benefit calculated under R.S. 11:1632 or 1633, whichever is
21 applicable, based on the lesser of his average final compensation at his original
22 retirement date or his average final compensation during the period of his subsequent
23 reemployment. If the member continues in employment after retirement for a period
24 of sixty months or more, his supplemental monthly retirement benefit shall equal the
25 benefit calculated under R.S. 11:1632 or 1633, whichever is applicable, based on his
26 average final compensation during his period of reemployment. Upon retirement
27 subsequent to reemployment, his benefit shall be equal to the benefits he was
28 receiving immediately prior to reemployment plus the supplemental benefit earned
29 during his reemployment.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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)]

DIGEST

SB 494 Original 2026 Regular Session Carter

Present law provides that benefits for a retiree are suspended when he is reemployed by any district attorney.

Present law provides that upon reemployment of a retiree, he becomes an active member and contributing member of the system for any period of reemployment.

Present law provides that a reemployed retiree shall accrue a supplemental benefit. Provides that if the retiree is reemployed for less than 60 months, the supplemental benefit is equal to the benefit calculated in accordance with present law based on his final average compensation during his original retirement or his final average compensation during his reemployment, whichever is less.

Present law provides that if a retiree is reemployed for 60 months or more, the supplemental benefit is equal to the benefit calculated in accordance with present law based on his final average compensation during the period of reemployment. Provides that upon termination of reemployment the retiree receives his retirement benefit plus his supplemental benefit earned during reemployment.

Proposed law retains present law. Provides that proposed law additionally applies when a retiree is reemployed by an employer.

Present law defines "employer" as any parish in the state of La.; the state of La.; or any police jury or any other governing body of a parish or political corporation or subdivision of the state of La. which employs and pays persons as district attorneys or assistant district attorneys. Defines "employee" as a district attorney, assistant district attorney, and a person employed by the system or La. District Attorneys' Association.

Proposed law retains present law and adds the La. District Attorneys' Association to the definition of "employer".

Present law provides that the reemployed retiree is a member of the system with the option of establishing service credit for any period of full-time employment as a district attorney or assistant district attorney.

Proposed law provides that the reemployed retiree is a member with the option of establishing service credit for full-time employment as an employee.

Present law provides that benefits are not suspended, he is not considered a member of the system, does not earn additional service credit, or make contributions if the reemployed retiree meets certain requirements.

Present law provides that benefits are not suspended during reemployment by a district attorney. Proposed law provides that benefits are not suspended during reemployment as an employee by a district attorney or employer.

Proposed law additionally requires the following information be reported to the retirement system no later than March first of each year concerning reemployed retirees:

- (1) The retiree's name.

- (2) Date of retirement.
- (3) Date of reemployment.
- (4) Annual earnings paid by local funds.
- (5) Annual earnings paid by state funds.

Proposed law allows reemployed retired members to consolidate their initial and subsequent retirement benefits into a single benefit, provided they repay previous benefits with interest and meet specific election deadlines.

(Amends R.S. 11:1581(11) and 1631(F)(1) and (2)(intro para); adds R.S. 11:1631(3) and (4))