

ACT No. 25

2026 Regular Session

HOUSE BILL NO. 32

BY REPRESENTATIVE EGAN

1 AN ACT

2 To amend and reenact R.S. 11:224, 403(15), 405, 407, 444(A)(1)(a)(i) and (2)(b)(i)(bb) and
3 (C)(introductory paragraph), and 446(F), relative to the Louisiana State Employees'
4 Retirement System; to provide relative to restoration to active service of a disability
5 retiree; to provide for definitions; to provide relative to exemption of certain benefits
6 from execution; to provide relative to the correction of administrative errors; to
7 provide relative to the computation and payment of benefits; and to provide for
8 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. 11:224, 403(15), 405, 407, 444(A)(1)(a)(i) and (2)(b)(i)(bb) and
14 (C)(introductory paragraph), and 446(F) are hereby amended and reenacted to read as
15 follows:

16 §224. Restoration to active service

17 If any disability retiree of a state or statewide retirement system who is under
18 the age of ~~sixty years~~ for regular retirement is restored to active service, his
19 retirement allowance shall cease, he shall again become a member of the retirement
20 system, and he shall contribute thereafter at the current rate in effect at the time he
21 is restored to service, and if he contributes for at least three years, the period of time
22 on disability shall be counted as accredited service for purposes of establishing
23 retirement eligibility, but not for computation of benefits. Any prior service
24 certificate on which his service was computed at the time of his retirement shall be
25 restored to full force and effect and, in addition, upon his subsequent retirement he

1 shall be credited with all his service as a member. This Section shall apply to all
2 disability retirees, regardless of the date they qualified for a disability retirement
3 benefit.

4 * * *

5 §403. Definitions

6 The following words and phrases used in this Chapter shall have the
7 following meanings, unless a different meaning is clearly required by the context:

8 * * *

9 (15) "Job appointment" means ~~employment for a fixed period not to exceed~~
10 ~~two years.~~ a temporary appointment of an employee to fill a position for a period of
11 time as set forth in rules adopted by the State Civil Service Commission.

12 * * *

13 §405. Exemption from execution; exception

14 Any annuity, retirement allowance or benefit, or refund of contributions, or
15 any optional benefit or any other benefit paid or paid to any person under the
16 provisions of this Chapter is exempt from any state or municipal tax and is exempt
17 from levy and sale, garnishment, attachment, or any other process whatsoever,
18 except as provided in R.S. 11:292 and 293, and is unassignable.

19 * * *

20 §407. Correction of administrative error

21 Except as expressly provided otherwise in this Chapter, the director may,
22 upon written documentation that an administrative error has occurred in the
23 administration of this system, which documentation shall be submitted to the board
24 of trustees ~~at the next board meeting~~, whether such administrative error was
25 committed by this system or otherwise, correct such administrative error and may
26 make all adjustments relative to such correction.

27 * * *

28 §444. Computation of retirement benefit

29 A.(1)(a)(i) A member who retires effective on or after July 1, 1973, shall
30 receive a maximum retirement allowance equal to two and one-half percent of

1 average compensation, ~~as determined under R.S. 11:231~~ pursuant to R.S. 11:403, for
2 every year of creditable service, plus three hundred dollars.

3 * * *

4 (2)

5 * * *

6 (b) Peace officers, as defined by R.S. 40:2402(3)(a), employed by the
7 Department of Public Safety and Corrections, office of state police, other than state
8 troopers, whose first employment making them eligible for membership in one of
9 the state systems occurred on or before December 31, 2010, shall receive a
10 maximum retirement allowance in accordance with the following:

11 (i)

12 * * *

13 (bb) Any person employed as a peace officer by the Department of Public
14 Safety and Corrections ~~as determined under R.S. 11:231~~, on or before June 30, 2006,
15 who was participating in the Deferred Retirement Option Plan on June 30, 2007, or
16 who had continued in employment as of such date after completion of plan
17 participation shall have his base benefit recalculated to reflect the increase in benefits
18 provided pursuant to Subitem (aa) of this Item. The balance in his plan account and
19 any subsequent contributions to such account shall be increased to reflect such
20 benefit increase.

21 * * *

22 C. The retirement benefit of any member of this system who is not a
23 qualified participant, as defined in Paragraph (B)(2) of this Section, when expressed
24 as an annual benefit may not exceed the lesser of either the annual benefit authorized
25 by Section 415(d) of the United States Internal Revenue Code or one hundred
26 percent of such member's average compensation for his highest three years or five
27 years as provided in R.S. 11:403. For purposes of determining whether a member's
28 benefit exceeds the limitations of this Subsection, the following shall apply:

29 * * *

1 §446. Mode of payment where option elected

2 * * *

3 F. If the member is married, the designated beneficiary for a qualified joint
4 and survivor annuity and any Deferred Retirement Option Plan benefits payable in
5 accordance with law shall be his spouse, unless such spouse has consented to the
6 contrary in writing before a notary public, or such spouse cannot be located and the
7 member submits an original affidavit signed by him before a notary public which
8 evidences good faith efforts to locate the spouse. If the member does not select a
9 joint and survivor annuity option and fails to provide such a spousal consent at the
10 time of his retirement, then for the purposes of a retirement benefit option the system
11 shall establish the benefit as if the member had selected the Option 3 joint and
12 survivor annuity as provided in Paragraph (A)(3) of this Section. For purposes of
13 this ~~Paragraph~~ Subsection, "spouse" shall mean that person who is married to the
14 member under a legal regime of community of acquets and gains on his effective
15 date of retirement or effective date of participation in the Deferred Retirement
16 Option Plan, whichever is earlier.

17 * * *

18 Section 2. Any cost of this Act shall be funded by additional employer contributions
19 in compliance with article X, Section 29 (F) of the Constitution of Louisiana.

20 Section 3. This Act shall become effective on July 1, 2026; if vetoed by the
21 governor and subsequently approved by the legislature, this Act shall become effect of
22 July 1, 2026, or on the day following such approval by the legislature, whichever is later.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____