

**ACT No. 528**

2026 Regular Session

HOUSE BILL NO. 47

BY REPRESENTATIVE BERAULT

1 AN ACT

2 To amend and reenact R.S. 11:1404(A), 1461, and 1481(1)(b), to enact R.S. 11:1485, and  
3 to repeal R.S. 11:105(A)(1), 106(A)(1), 107(A)(1), 107.1(A)(1), 242(B)(1),  
4 243(A)(1), and 246(A)(1), relative to the Assessors' Retirement Fund; to provide  
5 relative to cost-of-living increases; to provide relative to the authority of the board  
6 of trustees to grant an increase; to provide for the calculation of the amount of any  
7 increase; to provide for the funding deposit account; to provide for employer  
8 contributions; to provide for an effective date; 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. 11:1404(A), 1461, and 1481(1)(b) are hereby amended and reenacted  
14 and R.S. 11:1485 is hereby enacted to read as follows:

15 §1404. Amendment of provisions of retirement system

16 A. The provisions of the retirement system established by R.S. 11:1401 may  
17 be amended by action of the legislature in the same manner as any other statute may  
18 be amended by the legislature. In addition, action of the board with respect to the  
19 payment of cost-of-living ~~adjustments, as provided in R.S. 11:241 through 248,~~  
20 increases, the payment of employee contributions, actuarial assumptions ~~as provided~~  
21 ~~in R.S. 11:1402~~, and any changes required for conformity with requirements of the

1 Internal Revenue Code, shall be considered amendments to the provisions of the  
 2 retirement ~~fund~~ system.

3 \* \* \*

4 §1461. Cost-of-living increase; determination by board of trustees

5 A. The board of trustees may use ~~excess interest earnings on investments of~~  
 6 ~~the system in excess of normal requirements as determined by the actuary~~ funds in  
 7 the funding deposit account to provide a cost-of-living increase in benefits for ~~retired~~  
 8 ~~members or their~~ retirees, beneficiaries, in an amount not to exceed three percent of  
 9 ~~the original benefit, excluding any additional annuity, for each year of retirement but~~  
 10 ~~not to exceed three hundred dollars per year for each year of retirement. Such and~~  
 11 survivors if benefits have been paid on the member's or retiree's record for at least  
 12 one year on the date the increase begins, subject to the limitations in this Section.  
 13 The benefits shall be paid in such a manner and in such amount as may be  
 14 determined by the board of trustees, based on funds available, and the board of  
 15 trustees shall be authorized to set a maximum amount of such benefits. Any cost-of-  
 16 living increase granted in accordance with this Section shall begin on October first  
 17 following board approval.

18 B.(1) ~~Notwithstanding any provision of law to the contrary, in particular R.S.~~  
 19 ~~11:242, the board of trustees is authorized to provide a permanent monthly~~  
 20 ~~cost-of-living adjustment for retirees or their beneficiaries who would otherwise be~~  
 21 ~~eligible for a cost-of-living adjustment pursuant to Subsection A of this Section. The~~  
 22 ~~cost-of-living adjustment shall be payable in a monthly amount not to exceed three~~  
 23 ~~percent of the normal monthly benefit payable to the retiree or beneficiary on the~~  
 24 ~~date the increase is granted but shall not be less than twenty dollars per month. The~~  
 25 board may grant a cost-of-living increase in any fiscal year in which the system has  
 26 a funded ratio of at least one hundred percent.

27 (2) ~~The authority of the board of trustees to provide the cost-of-living~~  
 28 ~~adjustment provided in this Subsection shall become effective July 1, 2008. The~~  
 29 ~~authority of the board of trustees to provide the cost-of-living adjustment shall be~~  
 30 ~~nonrecurring, and the board of trustees shall not grant more than one cost-of-living~~

1 ~~adjustment pursuant to Paragraph (1) of this Subsection. If the system has a funded~~  
2 ~~ratio of less than one hundred percent, the board may grant a cost-of-living increase~~  
3 ~~if any of the following applies:~~

4 (a) The system has a funded ratio of at least ninety percent and the board has  
5 not granted a cost-of-living increase in the most recent fiscal year.

6 (b) The system has a funded ratio of at least eighty percent and the board has  
7 not granted a cost-of-living increase in either of the two most recent fiscal years.

8 (c) The system has a funded ratio of at least seventy percent and the board  
9 has not granted a cost-of-living increase in any of the three most recent fiscal years.

10 (3)(a) As used in this Section, the funded ratio as of any fiscal year end shall  
11 be defined as the ratio of the actuarial value of assets to the level percentage of pay  
12 entry age normal actuarial accrued liability.

13 (b) For purposes of determining the system's funded ratio pursuant to this  
14 Subsection, the actuarial value of assets shall be reduced by the actuarial present  
15 value of the cost-of-living increase.

16 C. If authorized pursuant to Subsection B of this Section, the board may do  
17 one of the following:

18 (1) Grant a cost-of-living increase of up to three percent of the current  
19 benefit to all eligible retirees, beneficiaries, and survivors.

20 (2) Grant a cost-of-living increase that is a monthly increase of the benefit  
21 of each recipient in a dollar amount that is a multiple or a fraction of the number of  
22 years of credited service accrued at retirement of the retiree or at death of the  
23 member plus a multiple or a fraction of the number of years since retirement of the  
24 retiree or since death of the member to the system's fiscal year end preceding the  
25 payment of the benefit increase. The multiples used in this calculation shall not  
26 cause the total actuarial present value of the increase to exceed the actuarial present  
27 value of an increase granted pursuant to Paragraph (1) of this Subsection.

28 D. The board may grant a cost-of-living increase of up to two percent of the  
29 current benefit to all eligible retirees, beneficiaries, and survivors who are sixty-five



1           B. The funding deposit account established by Act No. 296 of the 2009  
2           Regular Session of the Legislature is continued. All surplus funds collected by the  
3           system in any year in which the board exercises the authority provided in Subsection  
4           A of this Section shall be credited to the system's funding deposit account.

5           C. The funds in the account shall earn interest annually at the  
6           board-approved actuarial valuation interest rate, and such interest shall be credited  
7           to the account once a year.

8           D.(1) Notwithstanding any provision of law to the contrary, the board of  
9           trustees may in any fiscal year direct that funds from the account be charged for only  
10          the following purposes:

11           (a) To reduce the present value of future normal costs.

12           (b) To pay all or a portion of any future net direct employer contributions.

13           (c) To provide for cost-of-living increases, in accordance with applicable  
14          law.

15           (2) In no event shall the funds charged from the account exceed the  
16          outstanding account balance.

17           (3) If the board of trustees elects to charge funds from the funding deposit  
18          account pursuant to Subparagraph (1)(b) of this Subsection, the percent reduction in  
19          the minimum recommended employer contribution rate otherwise applicable shall  
20          be determined by dividing the interest-adjusted value of the charges from the funding  
21          deposit account by the projected payroll for the fiscal year for which the contribution  
22          rate is to be reduced.

23           (4) The balance in the funding deposit account shall be excluded from the  
24          assets used in the calculation of the employer contribution rate in accordance with  
25          the provisions of R.S. 11:103.

26           (5) For all purposes other than funding, the balance in the account shall be  
27          considered assets of the system.

28          Section 2. R.S. 11:105(A)(1), 106(A)(1), 107(A)(1), 107.1(A)(1), 242(B)(1),  
29          243(A)(1), and 246(A)(1) are hereby repealed in their entirety.

1           Section 3. 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: \_\_\_\_\_