

First Extraordinary Session, 2005

SENATE BILL NO. 45

BY SENATOR FIELDS

STATE EMPLOYEES. Allows a state employee, who has been displaced due to a declared disaster, to remain on the state's payroll when the employee makes a commitment to reside within the state.

1 AN ACT

2 To enact Part VII of Chapter 8 of Title 42 of the Louisiana Revised Statutes of 1950, to be
3 comprised of R.S. 42:450.11 through 450.14, relative to public employees; to
4 provide for displaced public employees; to allow a displaced public employee to
5 remain on the state payroll under certain circumstances; to provide a penalty for
6 certain situations; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Part VII of Chapter 8 of Title 42 of Louisiana Revised Statutes of 1950,
9 comprised of R.S. 42:450.11 through 450.14, is hereby enacted to read as follows:

10 **PART VII. DISASTER RELIEF FOR**
11 **DECLARED DISPLACED STATE EMPLOYEE**

12 **§450.11. Definitions**

13 **The following words and terms, when used in this Part, shall have the**
14 **following meaning:**

15 **(1) "State agency" is defined as any department, division, agency, office,**
16 **or other entity within the executive, judicial, and legislative branches of state**
17 **government.**

1 **(2) "Public employee" means any full-time employee of the state, or any**
2 **branch of state government, including the executive, legislative, and judicial**
3 **branches, or any state board, commission, or other agency.**

4 **(3) "Displaced person" means any public employee who was either**
5 **mandated to evacuate from his residence and therefore unable to travel to his**
6 **workplace or whose workplace was closed as a result of a gubernatorially**
7 **declared emergency or disaster.**

8 **§450.12. Purpose**

9 **The purpose of this Section is to provide an incentive to public employees**
10 **who are displaced due to a gubernatorially declared disaster to remain in the**
11 **state of Louisiana.**

12 **§450.13. Displaced person; continuation of payroll; eligibility**

13 **A. Notwithstanding any other provision of law to the contrary, any**
14 **displaced person shall remain on the state payroll and continue to receive his**
15 **salary, benefits and credit for service time based on his salary, work schedule**
16 **and benefit enrollment on August 29, 2005, if all the requirements of Subsection**
17 **B of this Section are complied with.**

18 **B. For Subsection A of this Section to apply all of the following are**
19 **required:**

20 **(1) The displaced person was receiving a salary, eligible for benefits and**
21 **actively contributing to a state or statewide retirement system on August 29,**
22 **2005.**

23 **(2) The displaced person resides within the state of Louisiana, certifies**
24 **to his employer that he resides in the state and provides his current address and**
25 **notifies his employer of any change of address.**

26 **(3) The displaced person is not otherwise employed full-time and certifies**
27 **to his employer that he is not.**

28 **(4) The displaced person makes himself continually available for suitable**
29 **work assignment with his employer, or any other state agency employment**

1 **deemed suitable.**
2 **§450.14. Penalty**
3 **Any person who provides or certifies to false information shall repay a**
4 **sum equal to the salary received and the cost to his employer of all benefits**
5 **received.**

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Tabitha I. Gray.

DIGEST

Proposed law provides for maintaining a full-time state employee mandated to evacuate from his home or displaced from his job by a gubernatorially declared disaster on the state payroll and continuing his benefits when he resides within the state, and is not otherwise employed full-time and makes himself continuously available for suitable work assignment. Requires that if the person provides false information he has to repay all salary, contribution to retirement and benefits paid on his behalf.

(Adds R.S. 42:450.11 - 450.14)