

Regular Session, 2013

HOUSE BILL NO. 51

BY REPRESENTATIVE PEARSON

RETIREMENT/LOCAL: Provides relative to the computation of benefits in the Firefighters' Pension and Relief Fund in the city of New Orleans

1 AN ACT

2 To amend and reenact R.S. 11:3384(B) and (C), relative to the Firefighters' Pension and
3 Relief Fund in the city of New Orleans; to provide relative to computation of benefits
4 for certain members; and to provide for related matters.

5 Notice of intention to introduce this Act has been published
6 as provided by Article III, Section 13 and Article X, Section
7 29(C) of the Constitution of Louisiana.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 11:3384(B) and (C) are hereby amended and reenacted to read as
10 follows:

11 §3384. Firefighters employed after December 31, 1967; computation of benefits

12 * * *

13 B. If the firefighter has worked one or more hours of service after December
14 31, 1995, he shall receive a retirement benefit equal to two and one-half percent of
15 his average compensation based on the ~~four~~ five highest consecutive years of
16 employment, multiplied by the number of years of creditable service. If the member
17 continues to remain a member of the system beyond twelve years of service and such
18 member attains the age of fifty, the retirement benefit for each year or portion of a
19 year beyond twelve years of service and after age fifty shall be an amount equal to
20 three and one-third percent of the average annual compensation for each year or

1 portion of a year. If the member continues service beyond thirty years, the
 2 retirement benefit for each year or portion of a year beyond twelve years of service
 3 shall be an amount equal to three and one-third percent of the average annual
 4 compensation for each year or portion of a year. However, the retirement benefit
 5 shall not exceed a total of three and one-third percent each year. The service benefits
 6 of such firefighter shall not exceed one hundred percent of the average compensation
 7 earned during any ~~three~~ five highest average consecutive years of service preceding
 8 retirement.

9 C. A firefighter who has not worked an hour of service after December 31,
 10 1995, shall receive a retirement allowance equal to two and one-half percent of his
 11 average salary based on the highest ~~four~~ five consecutive years multiplied by the
 12 number of years of creditable service, not to exceed seventy-five percent and further
 13 provided that in the case of those employees who remain in service beyond twelve
 14 years and who have reached the age of fifty-five years, the percentage shall be three
 15 percent for all years over twelve, with a maximum benefit of eighty percent.

16 * * *

17 Section 2. For those members retiring or entering the Deferred Retirement Option
 18 Plan or back-Deferred Retirement Option Plan on or after July 1, 2013, and on or before July
 19 1, 2014, the period used to calculate monthly average final compensation shall be forty-eight
 20 months plus the number of whole months since July 1, 2013.

21 Section 3. This Act shall become effective July 1, 2013; if vetoed by the governor
 22 and subsequently approved by the legislature, this Act shall become effective on July 1,
 23 2013, or on the day following such approval by the legislature, whichever is later.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, 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)]

Pearson

HB No. 51

Abstract: Changes from four years to five years the number of years used to calculate final average compensation for certain members of the Firefighters' Pension and Relief Fund in the city of New Orleans.

Present law provides relative to the computation of benefits for members in the Firefighters' Pension and Relief Fund in the city of New Orleans.

Provides that if the firefighter has worked one or more hours of service after Dec. 31, 1995, he shall receive a retirement benefit equal to 2.5% of his average compensation multiplied by the number of years of creditable service. If the member remains a member of the system beyond 12 years of service and such member attains the age of 50, the retirement benefit for each year or portion of a year beyond 12 years of service and after age 50 shall be an amount equal to 3-1/3% of the average annual compensation. If the member continues service beyond 30 years, the retirement benefit for each year or portion of a year beyond 12 years of service shall be an amount equal to 3-1/3% of the average annual compensation. Present law retains proposed law.

Present law provides that average compensation for such calculations is based on the four highest consecutive years of employment. Provides further that the benefits of such firefighter shall not exceed 100% of the average compensation earned during any three highest average consecutive years of service.

Proposed law provides that the calculation is based on the five highest consecutive years of employment and that the benefits shall not exceed 100% of the average compensation earned during any five highest average consecutive years of service.

Present law provides that a firefighter who has not worked an hour of service after Dec. 31, 1995, shall receive a retirement allowance equal to 2.5% of his average salary multiplied by the number of years of creditable service, not to exceed 75%. Provides that for employees who remain in service beyond 12 years and who have reached the age of 55 years, the benefit shall be 3% for all years over 12, with a maximum benefit of 80%. Proposed law retains present law.

Present law provides that average salary is based on the highest four consecutive years. Proposed law provides that the average salary is based on the highest five consecutive years.

Proposed law provides that for members retiring or entering the Deferred Retirement Option Plan or back-Deferred Retirement Option Plan on or after July 1, 2013, and on or before July 1, 2014, the period used to calculate monthly average final compensation shall be 48 months plus the number of whole months since July 1, 2013. Otherwise retains present law.

Effective July 1, 2013.

(Amends R.S. 11:3384(B) and (C))

Summary of Amendments Adopted by House

House Floor Amendments to the engrossed bill.

1. Adds provisions specifying the period used to calculate average final compensation for those who retire or enter DROP between July 1, 2013 and July 1, 2014.
2. Adds effective date.