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**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Retirement to Engrossed House Bill No. 22 by Representative Danahay

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1 AMENDMENT NO. 1

2 On page 1, line 2, after "2178" delete the remainder of the line and insert "(A),  
3 (B)(introductory paragraph), (1), and (3)(b), and (C)(1)(c)(i), (ii), (iii), and"

4 AMENDMENT NO. 2

5 On page 1, line 3, after "(iv)(aa)" change "and (4)(b)" to "and (4)" and after "R.S. 11:231"  
6 insert "(A)(6) and"

7 AMENDMENT NO. 3

8 On page 1, line 10, after "2178" delete the remainder of the line and insert "(A),  
9 (B)(introductory paragraph), (1), and (3)(b), and (C)(1)(c)(i), (ii), (iii), and (iv)(aa)"

10 AMENDMENT NO. 4

11 On page 1, at the beginning of line 11 change "and (4)(b)" to "and (4)"

12 AMENDMENT NO. 5

13 On page 1, delete lines 13 through 20 and delete pages 2 through 4 and on page 5 delete lines  
14 1 through 23 and insert:

15 " A. For purposes of this Section, the term "final average compensation" shall mean:

16 (1) For any member whose first employment making him eligible for membership  
17 in the system began prior to July 1, 2006, the member's average salary for the thirty-six  
18 highest successive months of employment, or the highest thirty-six successive joined months  
19 of employment where interruption of service occurred. If the member has been employed  
20 for a period of less than thirty-six months, final average compensation shall be based on the  
21 average monthly salary received for the time employed. The earnings to be considered for  
22 the thirteenth through the twenty-fourth month shall not exceed one hundred twenty-five  
23 percent of the earnings of the first through the twelfth month. The earnings to be considered  
24 for the final twelve months shall not exceed one hundred twenty-five percent of the earnings  
25 of the thirteenth through the twenty-fourth month. Nothing in this Subsection, however, shall  
26 change the method of determining the amount of earned compensation received.

27 (2) For any member whose first employment making him eligible for membership  
28 in the system began on or after July 1, 2006, and prior to July 1, 2013, the member's average  
29 salary for the sixty highest successive months of employment, or the highest sixty successive  
30 joined months of employment where interruption of service occurred. If the member has  
31 been employed for a period of less than sixty months, final average compensation shall be  
32 based on the average monthly salary received for the time employed.

33 (3) For any member whose first employment making him eligible for membership  
34 in the system began on or after July 1, 2013, final average compensation is defined as the  
35 member's average salary for the sixty highest successive months of employment, or the  
36 highest sixty successive joined months of employment where interruption of service  
37 occurred. If the member has been employed for a period of less than sixty months, final  
38 average compensation shall be based on the average monthly salary received for the time  
39 employed. The earnings to be considered for the thirteenth through the twenty-fourth month  
40 shall not exceed one hundred fifteen percent of the earnings of the first through the twelfth  
41 month. The earnings to be considered for the twenty-fifth through the thirty-sixth month  
42 shall not exceed one hundred fifteen percent of the earnings of the thirteenth through the  
43 twenty-fourth month. The earnings for the thirty-seventh through the forty-eighth month

1 shall not exceed one hundred fifteen percent of the earnings of the twenty-fifth through the  
2 thirty-sixth month. The earnings for the final twelve months shall not exceed one hundred  
3 fifteen percent of the earnings of the thirty-seventh through the forty-eighth month.

4 B. Eligibility for disability benefits, procedures for application for disability benefits,  
5 procedures for the certification of continuing eligibility for disability benefits, the authority  
6 of the board of trustees to modify disability benefits, and procedures governing the  
7 restoration to active service of a formerly disabled employee are specifically described and  
8 provided for in R.S. 11:201 through R.S. 11:224. B. The board of trustees shall award  
9 disability benefits to eligible members who have been officially certified as disabled by the  
10 State Medical Disability Board. The disability benefit shall be as follows:

11 (1) Service related disability benefit. (a) The disability benefit for total disability  
12 from gainful employment due to an injury sustained while in the performance of official  
13 duties shall be a sum equal to forty-five percent of final average compensation.

14 ~~(b)(i) For the purpose of this Subsection, for any member whose first employment~~  
15 ~~making him eligible for membership in the system began prior to July 1, 2006, final average~~  
16 ~~compensation is defined as the member's average salary for the thirty-six highest successive~~  
17 ~~months of employment, or the highest thirty-six successive joined months of employment~~  
18 ~~where interruption of service occurred. If the member has been employed for a period of less~~  
19 ~~than thirty-six months, final average compensation shall be based on the average monthly~~  
20 ~~salary received for the time employed.~~

21 ~~————(ii) For the purpose of this Subsection, for any member whose first employment~~  
22 ~~making him eligible for membership in the system began on or after July 1, 2006, final~~  
23 ~~average compensation is defined as the member's average salary for the sixty highest~~  
24 ~~successive months of employment, or the highest sixty successive joined months of~~  
25 ~~employment where interruption of service occurred. If the member has been employed for~~  
26 ~~a period of less than sixty months, final average compensation shall be based on the average~~  
27 ~~monthly salary received for the time employed.~~

28 ~~————(c) A member who is classified as totally disabled for any employment shall be~~  
29 ~~entitled to earn twenty-five percent of his disability benefit in a calendar year before being~~  
30 ~~reclassified as partially disabled.~~

31 \* \* \*

32 (3) Non-service related disability benefit.

33 \* \* \*

34 ~~(b)(i) For the purpose of this Subsection, for any member whose first employment~~  
35 ~~making him eligible for membership in the system began prior to July 1, 2006, final~~  
36 ~~compensation is defined as the member's average salary for the thirty-six highest successive~~  
37 ~~months of employment, or the highest thirty-six successive joined months of employment~~  
38 ~~where interruption of service occurred. If the member has been employed for a period of less~~  
39 ~~than thirty-six months, final average compensation shall be based on the average monthly~~  
40 ~~salary received for the time employed.~~

41 ~~————(ii) For the purpose of this Subsection, for any member whose first employment~~  
42 ~~making him eligible for membership in the system began on or after July 1, 2006, final~~  
43 ~~average compensation is defined as the member's average salary for the sixty highest~~  
44 ~~successive months of employment, or the highest sixty successive joined months of~~  
45 ~~employment where interruption of service occurred. If the member has been employed for~~  
46 ~~a period of less than sixty months, final average compensation shall be based on the average~~  
47 ~~monthly salary received for the time employed.~~

48 (iii) Upon approval for disability benefits, the member shall exercise a retirement  
49 option as provided for service retirement under the provisions of Subsection I of this Section  
50 and no change in the option selected shall be permitted after it has been filed with the board.  
51 The retirement option factors shall be the same as those utilized for regular retirement based  
52 on the age of the retiree and spouse had the retiree continued in active service until the  
53 normal retirement date.

54 \* \* \*

55 C.(1)

56 \* \* \*

57 (c)(i) A member whose first employment making him eligible for membership in the  
58 system began on or before June 30, 2006, shall be paid a monthly sum equal to three and  
59 one-third percent of the member's average monthly salary for the thirty-six highest  
60 successive months of employment, or the highest thirty-six successive joined months of

1 ~~employment where interruption of service occurred; final average compensation multiplied~~  
 2 ~~by the number of years of creditable service in the fund.~~

3 (ii) A member whose first employment making him eligible for membership in the  
 4 system began on or after July 1, 2006, but prior to January 1, 2012, shall be paid a monthly  
 5 sum equal to three and one-third percent of the member's ~~average monthly salary for the~~  
 6 ~~sixty highest successive months of employment, or the highest sixty successive joined~~  
 7 ~~months of employment where interruption of service occurred; final average compensation~~  
 8 multiplied by the number of years of creditable service in the fund.

9 (iii) A member whose first employment making him eligible for membership in the  
 10 system began on or after January 1, 2012, shall be paid a monthly sum equal to three percent  
 11 of the member's ~~average monthly salary for the sixty highest successive months of~~  
 12 ~~employment, or the highest sixty successive joined months of employment where~~  
 13 ~~interruption of service occurred; final average compensation multiplied by the number of~~  
 14 years of creditable service in the fund.

15 (iv)(aa) Notwithstanding the provisions of Item (iii) of this Subparagraph, a member  
 16 whose first employment making him eligible for membership in the system began on or after  
 17 January 1, 2012, who retires with thirty or more years of creditable service or any member  
 18 who in the performance of his official duties as a commissioned law enforcement officer  
 19 suffers a violent act or accident during the pursuit, apprehension, or arrest of a criminal  
 20 suspect and as a result becomes totally and permanently disabled or dies, shall be paid a  
 21 monthly sum equal to three and one-third percent of the member's ~~average monthly salary~~  
 22 ~~for the sixty highest successive months of employment, or the highest sixty successive joined~~  
 23 ~~months of employment where interruption of service occurred; final average compensation~~  
 24 multiplied by the number of years of creditable service in the fund.

25 \* \* \*

26 (4)(a) ~~For those members whose first employment making them eligible for~~  
 27 ~~membership in the system began prior to July 1, 2006, the retirement pension under this~~  
 28 ~~Subsection shall in no case exceed the average monthly salary for the thirty-six highest~~  
 29 ~~successive months of employment, or the highest thirty-six successive joined months of~~  
 30 ~~employment where interruption of service occurred.~~

31 ~~—(b) For those members whose first employment making them eligible for~~  
 32 ~~membership in the system began on or after July 1, 2006, the The retirement pension under~~  
 33 ~~this Subsection shall in no case exceed the average monthly salary for the sixty highest~~  
 34 ~~successive months of employment, or the highest sixty successive joined months of~~  
 35 ~~employment where interruption of service occurred member's final average compensation.~~

36 AMENDMENT NO. 6

37 On page 5, line 25, after "R.S. 11:231" insert "(A)(6) and" and change "is" to "are"

38 AMENDMENT NO. 7

39 On page 5, after line 25, insert the following:

40 "Section 3. This Act shall become effective on June 30, 2013; if vetoed by the  
 41 governor and subsequently approved by the legislature, this Act shall become effective on  
 42 June 30, 2013, or on the day following such approval by the legislature, whichever is later."