

2016 Regular Session

HOUSE BILL NO. 27

BY REPRESENTATIVE MONTOUCET

RETIREMENT/FIREFIGHTERS: Provides with respect to payment of interest in certain cases of administrative error in the Firefighters' Retirement System.

1 AN ACT

2 To amend and reenact R.S. 11:2260.1, relative to the Firefighters' Retirement System, to
3 provide relative to the correction of administrative errors; to provide with respect to
4 the payment of interest in certain circumstances with respect to such errors; and to
5 provide for related matters.

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

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 11:2260.1 is hereby amended and reenacted to read as follows:

11 §2260.1. Correction of administrative error

12 A. Except where otherwise prohibited in this Chapter, the director may
13 correct any administrative error and make all adjustments relative to such correction.
14 The director shall correct such error based solely on sufficient documentation, which
15 shall be submitted to the board of trustees at the next board meeting, whether such
16 administrative error was committed by the system or otherwise.

17 B. If an underpayment of benefits is due to an administrative error
18 committed by system staff, the correction of such error pursuant to Subsection A of
19 this Section may include the payment of interest at a rate not to exceed the system's
20 valuation interest rate.

1 Section 2. 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.

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)]

HB 27 Engrossed

2016 Regular Session

Montoucet

Abstract: Authorizes the payment of interest in certain circumstances when there is an underpayment of benefits by the Firefighters' Retirement System (FRS).

Present law establishes FRS as a statewide retirement system and provides for membership of such system and the payment of benefits to retirees and beneficiaries of such system. Proposed law retains present law.

Present law authorizes the director of FRS to correct administrative errors and to make all adjustments necessary relative to such correction. Proposed law retains present law.

Proposed law authorizes the payment of interest at a rate not to exceed the system's valuation interest rate if an underpayment of benefits was attributable to administrative error on the part of system staff.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 11:2260.1)