

2016 Regular Session

HOUSE BILL NO. 38

BY REPRESENTATIVES MONTOUCET AND REYNOLDS

1 AN ACT

2 To amend and reenact R.S. 11:157(A) and (C), relative to membership in the Firefighters'
3 Retirement System; to provide relative to reenrollment in the system by employees
4 covered by Social Security; and to provide for related matters.

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

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 11:157(A) and (C) are hereby amended and reenacted to read as
10 follows:

11 §157. Firefighters' Retirement System; Municipal Police Employees' Retirement
12 System; optional membership; refund of employee contributions; irrevocable
13 election; reenrollment

14 A. Notwithstanding any other provision of law to the contrary, any
15 employee; as defined in R.S. ~~11:2252(9)~~ or R.S. ~~11:2213(11)~~; 11:2213 or 2252 who
16 is employed by any municipality, parish, or fire protection district of this state which
17 has its employees covered under the federal Social Security program and which has
18 not previously and specifically excluded its police officers or firefighters from
19 coverage under this federal program, may elect not to be or elect not to become a
20 member of either ~~state~~ retirement system. Any member of either ~~state~~ retirement
21 system who elects not to be a member shall be refunded his employee contributions
22 which have been received by the system, without interest for the period for which he
23 contributed to the system.

24 * * *

1 C.(1) Any member who elects not to become a member of either retirement
 2 system set forth in Subsection A of this Section shall, before such election can
 3 become valid, execute and file with the retirement system an affidavit stating that his
 4 election not to be a member is of his own free will and is his own voluntary act and
 5 deed.

6 (2) Any member who files such an affidavit ~~of election with the Municipal~~
 7 ~~Police Employees' Retirement System~~ shall not be eligible to rejoin the system while
 8 he is employed by the same municipality, parish, or fire protection district ~~which has~~
 9 ~~its employees covered under the federal Social Security program,~~ unless he repays
 10 his previously refunded employee contributions, within sixty days of ~~re-enrollment~~
 11 reenrollment in the system, in one lump sum, plus interest at the board-approved
 12 actuarial valuation rate in effect at the time of such repayment, calculated from the
 13 date of the refund until the date of repayment.

14 Section 2. This Act shall become effective upon signature by the governor or, if not
 15 signed by the governor, upon expiration of the time for bills to become law without signature
 16 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 17 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 18 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____