

2017 Regular Session

HOUSE BILL NO. 8

BY REPRESENTATIVE ABRAHAM

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

RETIREMENT/FIREFIGHTERS: Provides relative to membership restrictions of the Firefighters' Retirement System

1 AN ACT

2 To amend and reenact R.S. 11:191(A) and 2253(A)(1)(a)(i) and to enact R.S. 11:191(D) and  
3 2253(A)(1)(a)(iii) and (iv), relative to the Firefighters' Retirement System; to provide  
4 with respect to membership in the system under conditions of dual-employment; to  
5 provide relative to membership in another retirement system; to provide for  
6 retroactive application; and to provide for related matters.

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

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 11:191(A) and 2253(A)(1)(a)(i) are hereby amended and reenacted  
12 and R.S. 11:191(D) and 2253(A)(1)(a)(iii) and (iv) are hereby enacted to read as follows:

13 §191. Dual employment

14 A. Any person who is employed in more than one public employment within  
15 this state, except as provided in ~~Subsection C~~ Subsections C and D of this Section,  
16 and who, by reason of such employment is eligible, as a condition of such  
17 employment, to be a member of the public retirement system or fund applicable to  
18 employees in each of such public employments, shall be a contributing member of  
19 each such retirement system or fund during the term of his employment. In no event  
20 shall such person be allowed to earn more than one year of service credit in any one

1 year. Service credit earned in more than one retirement system or fund in any one  
2 year shall not be transferred or recognized reciprocally to attain more than one year  
3 of service credit in any one system in any one year.

4 \* \* \*

5 D.(1) The provisions of Subsection A of this Section do not apply to a person  
6 employed in more than one position that makes him eligible for membership in the  
7 Firefighters' Retirement System.

8 (2) The prohibitions on membership in the Firefighters' Retirement System  
9 set forth in R.S. 11:2253(A)(1)(a)(iii) and (iv) do not make a person eligible for  
10 membership in any other public retirement system or fund.

11 \* \* \*

12 §2253. Membership

13 A. The membership of the retirement system shall be composed as follows:

14 (1)(a)(i) Except as otherwise provided in R.S. 11:2252(12), ~~and except as~~  
15 ~~provided further in this Paragraph~~, any person who becomes an employee as defined  
16 in R.S. 11:2252 on and after January 1, 1980, shall become a member as a condition  
17 of his employment.

18 \* \* \*

19 (iii) Notwithstanding the provisions of R.S. 11:191 or any other provision  
20 of law to the contrary, any employee who is simultaneously employed by more than  
21 one employer shall become a member of the system as an employee of only one  
22 employer. If such an employee retires from this system, he shall thereafter be  
23 deemed to have returned to work during any period that he remains employed by  
24 another employer, and the provisions of R.S. 11:2256(A)(5) shall apply to such  
25 employee.

26 (iv) Notwithstanding the provisions of R.S. 11:191 or any other provision of  
27 the law to the contrary, a person who is a member of any other Louisiana public  
28 retirement system or fund when he becomes an employee shall not be included in the

