

2017 Regular Session

HOUSE BILL NO. 72

BY REPRESENTATIVE LEOPOLD

1 AN ACT

2 To amend and reenact R.S. 13:5554(N) and 5554.3(B), (C), (D), (E), and (F) and to repeal
3 R.S. 13:5554.3(G), relative to the Plaquemines Parish Sheriff's Office; to provide for
4 the payment of certain group insurance premiums for retirees of the Plaquemines
5 Parish Sheriff's Office; to provide for the qualifications for payment of certain
6 insurance premiums; to provide relative to the Plaquemines Parish Retired
7 Employees' Insurance Fund; to provide for sheriff contributions; to provide for
8 limitations on withdrawal; to provide for limitations on investments; to provide for
9 membership and election of the advisory board; to provide relative to the
10 requirement for the advisory board and certain positions; and to provide for related
11 matters.

12 Be it enacted by the Legislature of Louisiana:

13 Section 1. R.S. 13:5554(N) and 5554.3(B), (C), (D), (E), and (F) are hereby
14 amended and reenacted to read as follows:

15 §5554. Group insurance; kinds; amounts; subrogation

16 * * *

17 N.(1) Notwithstanding the provisions of Subsection D of this Section,
18 effective July 1, 2003, the premium costs of group hospital, surgical, medical
19 expense, and dental insurance and the first ten thousand dollars of life insurance
20 contracted for under the provisions of this Section shall be paid in full by the sheriff
21 of Plaquemines Parish from the sheriff's general fund for all sheriffs and deputy
22 sheriffs who retired from the sheriff's office of that parish with at least twelve years
23 of service with that sheriff's office and who have either (1) at least fifteen years of

1 service and being at least fifty-five years of age or (2) at least thirty years of service
2 at any age. The provisions of this Paragraph shall apply to all persons hired by the
3 Plaquemines Parish Sheriff's Office prior to July 1, 2017.

4 (2) Notwithstanding the provisions of Subsection D of this Section, the
5 Plaquemines Parish Sheriff's Office shall pay the premium costs of group hospital,
6 surgical, medical expense, and dental insurance and the first ten thousand dollars of
7 life insurance out of the sheriff's general fund for any retired sheriff and any retired
8 deputy sheriff who was hired on or after July 1, 2017, and retired from the
9 Plaquemines Parish Sheriff's Office as follows:

10 (a) Fifty percent of the premium costs of group hospital, surgical, medical
11 expense, and dental insurance and the first ten thousand dollars of life insurance for
12 any sheriff or deputy sheriff who retires from the Plaquemines Parish Sheriff's Office
13 with fifteen years of creditable service with the Plaquemines Parish Sheriff's Office
14 and is at least fifty-five years of age.

15 (b) Seventy-five percent of the premium costs of group hospital, surgical,
16 medical expense, and dental insurance and the first ten thousand dollars of life
17 insurance for any sheriff or deputy sheriff who retires from the Plaquemines Parish
18 Sheriff's Office with twenty years of creditable service with the Plaquemines Parish
19 Sheriff's Office and is at least fifty-five years of age.

20 (c) One hundred percent of the premium costs of group hospital, surgical,
21 medical expense, and dental insurance and the first ten thousand dollars of life
22 insurance for any sheriff or deputy sheriff who retires from the Plaquemines Parish
23 Sheriff's Office with twenty-five years of creditable service with the Plaquemines
24 Parish Sheriff's Office and is at least fifty-five years of age.

25 (d) One hundred percent of the premium costs of group hospital, surgical,
26 medical expense, and dental insurance and the first ten thousand dollars of life
27 insurance for any sheriff or deputy sheriff who retires from the Plaquemines Parish
28 Sheriff's Office with at least thirty years of creditable service with the Plaquemines
29 Parish Sheriff's Office regardless of age.

30 * * *

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 §5554.3. Plaquemines Parish; payment of group insurance premiums; retired
2 sheriffs and deputy sheriffs; creation of fund

3 * * *

4 B. ~~The following monies shall be deposited into the PREIF; until the total~~
5 ~~amount of the monies including principal and earnings in the PREIF equals the sum~~
6 ~~of five million dollars:~~

7 (1) ~~One and one-half percent of the monies received by the Plaquemines~~
8 ~~Parish Sheriff's Office for their efforts of collecting parish property tax:~~

9 (2) ~~Fifty percent of the revenues received by the Plaquemines Parish Sheriff~~
10 ~~from video poker proceeds in accordance with R.S. 27:312.~~

11 (3) ~~Any other monies that the sheriff of Plaquemines Parish may contribute~~
12 ~~to the PREIF~~ The sheriff of Plaquemines Parish may contribute to the PREIF at his
13 discretion.

14 C. Upon recommendation of the board established in Subsection ~~G~~ F of this
15 Section, the sheriff of Plaquemines Parish shall invest the monies in the PREIF as
16 follows:

17 (1) Not more than fifty percent in equities.

18 (2) At least fifty percent in fixed income investments, provided that not more
19 than one-half of the investment in fixed income may be invested in corporate bonds.

20 (3) ~~The amount of earnings received pursuant to Paragraphs (1) and (2) of~~
21 ~~this Subsection shall be accounted for separately from the amount of the monies~~
22 ~~deposited into the PREIF pursuant to Subsection B of this Section.~~

23 D. The ~~earnings realized on the monies invested~~ deposited pursuant to
24 Subsection ~~C~~ B of this Section and the monies invested pursuant to Subsection C of
25 this Section and the accumulated earnings shall be available for the sheriff to
26 withdraw for the purpose of paying the insurance premium costs, claims or
27 premiums for retired sheriffs and retired deputy sheriffs of Plaquemines Parish.
28 ~~provided in R.S. 13:5554(N) for retired sheriffs and retired deputy sheriffs of~~

1 ~~Plaquemines Parish, provided that no such earnings shall be withdrawn until the~~
 2 ~~amount of principal and accumulated earnings in the PREIF is equal to the sum of~~
 3 ~~five million dollars. In the event that the total amount of monies derived from~~
 4 ~~deposits provided in Subsection B of this Section and investment earnings fall below~~
 5 ~~the sum of five million dollars, no earnings shall be withdrawn, and any balance~~
 6 ~~owed for the payment of insurance premium costs as required by R.S. 13:5554(N)~~
 7 ~~shall be paid in full from the sheriff's general fund.~~

8 ~~E. The monies deposited pursuant to Subsection B of this Section and the~~
 9 ~~accumulated earnings up to a total of five million dollars shall not be appropriated~~
 10 ~~except in compliance with the provisions of Subparagraphs G(1)(f) and (g) of this~~
 11 ~~Section and shall be used only for making income-producing investments as~~
 12 ~~provided in this Section.~~

13 ~~F. Any financial audit conducted of the sheriff's office of Plaquemines Parish~~
 14 ~~shall specifically address compliance with the provisions of this Section.~~

15 ~~G.(1) F.~~ To provide recommendations concerning the investment of funds
 16 as provided in Subsection C of this Section, the sheriff shall establish an investment
 17 advisory board consisting of three members as follows:

18 ~~(a)~~(1) The sheriff.

19 ~~(b)~~(2) Two active deputy sheriffs of the department elected by the other
 20 active deputy sheriffs of the department. If more than two people qualify for the
 21 election, the two candidates receiving the highest number of votes cast shall be
 22 elected to the board.

23 ~~(c)~~(3) The sheriff shall use and provide all means necessary and proper to
 24 conduct the initial and subsequent elections. All expenses, including the printing of
 25 the ballots for the initial and subsequent elections, shall be borne by the sheriff and
 26 paid out of the sheriff's general fund.

27 ~~(d)~~(4) The members of the board shall elect a chairperson at its first board
 28 meeting which shall be held within thirty days after the election of board members.

1 The board shall adopt rules governing the election of the members of the board. The
 2 election of board members shall be called and supervised by the board with the
 3 assistance of the sheriff.

4 ~~(e)(5) Should~~ If a vacancy ~~occur~~ occurs on the board, within sixty days of
 5 the date the vacancy occurs, the board shall appoint a member to fill the vacancy for
 6 the unexpired term who is qualified to serve on the board as provided in
 7 ~~Subparagraph (b) of this Paragraph (2) of this Subsection.~~ If a board member who
 8 is an active deputy sheriff elected pursuant to Subparagraph (b) of this Paragraph (2)
 9 of this Subsection retires, he may continue to serve for the remainder of the term for
 10 which he was elected, if less than two years remain on his term; however, if more
 11 than two years remain on his term, the board shall appoint an active deputy sheriff
 12 to fill the remainder of that term.

13 ~~(f)(6) The members of the board shall retain a financial advisor and legal~~
 14 ~~counsel to provide recommendations and legal consultation concerning the~~
 15 ~~investment of the funds. The board shall adopt rules governing their selection and~~
 16 ~~compensation. The board may retain the sheriff's office in-house legal counsel. be~~
 17 ~~paid a per diem for each day of attendance at meetings of the board or on authorized~~
 18 ~~business of the board. The board shall establish the per diem rates.~~

19 ~~(g)(7) The board members of the board shall be paid a per diem for each day~~
 20 ~~of attendance at meetings of the board or on authorized business of the board. The~~
 21 ~~board shall establish the per diem rates. retain a financial advisor and legal counsel~~
 22 ~~to provide recommendations and legal consultation concerning the investment of the~~
 23 ~~funds. The board shall adopt rules governing their selection and compensation. The~~
 24 ~~board may retain the sheriff's office in-house legal counsel.~~

25 ~~(2)(8) Members of the board shall serve terms concurrent with that of the~~
 26 ~~sheriff.~~

27 (9) If the monies deposited pursuant to Subsection B of this Section and the
 28 monies invested pursuant to Subsection C of this Section fall below ten thousand
 29 dollars, the requirement for an investment advisory board, as provided in Subsection

1 F of this Section, and a financial advisor and legal counsel, as provided in Paragraph
2 (7) of this Subsection, will be extinguished.

3 Section 2. R.S. 13:5554.3(G) is hereby repealed in its entirety.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____