

2018 Regular Session

HOUSE BILL NO. 28

BY REPRESENTATIVE PEARSON

1 AN ACT

2 To amend and reenact R.S. 11:1760(A)(introductory paragraph) and to enact R.S. 11:1789.6  
3 and 1808.6, relative to members of the Tier 2 plans of the Municipal Employees'  
4 Retirement System of Louisiana; to provide for the vesting period of such members;  
5 and to 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. 11:1760(A)(introductory paragraph) is hereby amended and  
11 reenacted and R.S. 11:1789.6 and 1808.6 are hereby enacted to read as follows:

12 §1760. Vesting

13 A. ~~A~~ Except as provided in R.S. 11:1789.6 or 1808.6, a member who  
14 withdraws from active service on or after the revision date prior to becoming eligible  
15 for retirement, having at least ten years of creditable service, and having received no  
16 refund of his accumulated contributions, shall be entitled to receive a retirement  
17 allowance to commence on his earliest normal retirement date.

18 \* \* \*

19 §1789.6. Vesting

20 A. A member of MERS Plan A Tier 2 who withdraws from active service  
21 prior to becoming eligible for retirement, who has at least seven years of creditable

1 service, and who has received no refund of his accumulated contributions, shall  
2 receive a retirement allowance to commence on his earliest normal retirement date.

3 (1) Such deferred retirement allowance shall be computed according to the  
4 provisions of this Part based on final compensation and creditable service at date of  
5 withdrawal.

6 (2) During the period from the member's date of withdrawal from service to  
7 the member's earliest normal retirement date, he shall not be considered a member  
8 and therefore shall not be entitled to any benefits due a member. Upon retirement  
9 he may exercise all rights and privileges of a retired member.

10 B. Should a vested terminated member return to active employment, he shall  
11 become a member and shall contribute at the current contribution rate.

12 \* \* \*

13 §1808.6. Vesting

14 A. A member of MERS Plan B Tier 2 who withdraws from active service  
15 prior to becoming eligible for retirement, who has at least seven years of creditable  
16 service, and who has received no refund of his accumulated contributions, shall  
17 receive a retirement allowance to commence on his earliest normal retirement date.

18 (1) Such deferred retirement allowance shall be computed according to the  
19 provisions of this Part based on final compensation and creditable service at date of  
20 withdrawal.

21 (2) During the period from the member's date of withdrawal from service to  
22 the member's earliest normal retirement date, he shall not be considered a member  
23 and therefore shall not be entitled to any benefits due a member. Upon retirement  
24 he may exercise all rights and privileges of a retired member.

25 B. Should a vested terminated member return to active employment, he shall  
26 become a member and shall contribute at the current contribution rate.

1           Section 2. This Act shall become effective on July 1, 2018; if vetoed by the governor  
2           and subsequently approved by the legislature, this Act shall become effective on July 1,  
3           2018, or on the day following such approval by the legislature, whichever is later.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_