

ACT No. 4

2018 Regular Session

HOUSE BILL NO. 28

BY REPRESENTATIVE PEARSON

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AN ACT

To amend and reenact R.S. 11:1760(A)(introductory paragraph) and to enact R.S. 11:1789.6 and 1808.6, relative to members of the Tier 2 plans of the Municipal Employees' Retirement System of Louisiana; to provide for the vesting period of such members; and to provide for related matters.

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

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 11:1760(A)(introductory paragraph) is hereby amended and reenacted and R.S. 11:1789.6 and 1808.6 are hereby enacted to read as follows:

§1760. Vesting

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

* * *

§1789.6. Vesting

A. A member of MERS Plan A Tier 2 who withdraws from active service 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.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____