

2019 Regular Session

SENATE BILL NO. 17

BY SENATOR PETERSON

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

RETIREMENT SYSTEMS. Provides relative to funding of retirement systems. (6/30/19)

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AN ACT

To amend and reenact R.S. 11:82(A)(1), 1481(1)(a)(i), 1561(A), 1695(A)(2), 2135(C)(1), and 2174(A) and to enact R.S. 11:82(C), relative to ad valorem tax contributions made to statewide retirement systems; to provide relative to tax revenue dedicated to specific purposes in the city of New Orleans; to provide for an effective date; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 11:82(A)(1), 1481(1)(a)(i), 1561(A), 1695(A)(2), 2135(C)(1), and 2174(A) are hereby amended and reenacted and R.S. 11:82(C) is hereby enacted to read as follows:

§82. Ad valorem tax contributions established

A. Ad valorem tax contributions to state and statewide public retirement systems shall be as follows:

(1) Assessors' Retirement Fund. Dedicated funds are .25% ~~(1% for Orleans Parish)~~ of aggregate taxes shown to be collectible by the tax rolls of each parish.

\* \* \*

1                   **(C) Aggregate taxes shown to be collectible in the city of New Orleans**  
 2                   **shall not include any tax dedicated to a specific purpose stated in the**  
 3                   **proposition authorizing the tax.**

4   \*       \*       \*

5                   §1481. Financing of fund; deductions; deficiencies and surpluses; remedies

6                                   The fund shall be financed as set forth hereunder:

7                                   (1)(a)(i) Each sheriff and ex officio tax collector of the state of Louisiana, or  
 8                   other official responsible for such tax collection, is hereby authorized and required  
 9                   to deduct one-fourth of one percent of taxes shown to be collectible by the tax rolls,  
 10                  including that shown on the tax rolls to be exempted by virtue of the homestead  
 11                  exemptions of each respective parish, and the city tax collector for the city of New  
 12                  Orleans, or other official responsible for such tax collection, is hereby authorized and  
 13                  required to deduct one-fourth of one percent of taxes shown to be collectible by the  
 14                  tax rolls, including that shown on the tax roll to be exempted by virtue of homestead  
 15                  exemptions, for the city of New Orleans and the parish of Orleans which money each  
 16                  respective sheriff, tax collector, or any other person performing said duties shall  
 17                  remit to the Assessors' Retirement Fund in a lump sum from first tax collections each  
 18                  year or periodically at the same time said sheriff and tax collector shall disburse  
 19                  funds to the tax recipient bodies of his respective parish. The amount remitted to the  
 20                  Assessors' Retirement Fund shall be based on the total amount of taxes shown to be  
 21                  collectible on the roll, including that shown on the tax roll to be exempted by virtue  
 22                  of homestead exemption, on the date the tax roll is filed for collection. **Taxes shown**  
 23                  **to be collectible by the tax rolls in the city of New Orleans shall not include any**  
 24                  **tax dedicated to a specific purpose stated in the proposition authorizing the tax.**

25   \*       \*       \*

26                   §1561. Dedication and payment of certain tax revenue

27                                   A. Each sheriff and ex officio tax collector or other person responsible for the  
 28                   collection of taxes shown to be collectible on the tax rolls of each parish other than  
 29                   Orleans shall deduct one-fourth of one percent of those taxes and shall remit the

1 deducted amount to the Clerks' of Court Retirement and Relief Fund. The tax  
2 collector or other person responsible for the collection of taxes shown to be  
3 collectible by the tax rolls in Orleans Parish shall deduct one-half of one percent of  
4 those taxes and shall remit the deducted amount to the Clerks' of Court Retirement  
5 and Relief Fund. The monies shall be remitted periodically and at the same time that  
6 each such official disburses funds to the tax recipient bodies of his respective parish.

7 Taxes shown to be collectible by the tax rolls in the city of New Orleans shall not  
8 include any tax dedicated to a specific purpose stated in the proposition  
9 authorizing the tax.

10 \* \* \*

11 §1695. Pension Accumulation Fund; contributions to and payments from fund;  
12 determination of normal and accrued liability contributions

13 A. The Pension Accumulation Fund shall be the fund in which shall be  
14 accumulated all reserves for the payment of all pensions and other benefits payable  
15 from contributions made by employers and each sheriff and ex officio tax collector  
16 as provided for under Paragraphs (1), (2), and (3) of this Subsection and from which  
17 shall be paid all pensions and other benefits on account of members with prior  
18 service credit. Contributions to and payments from the Pension Accumulation Fund  
19 shall be made as follows:

20 \* \* \*

21 (2) Each sheriff and ex officio tax collector of the state shall deduct a  
22 percentage as determined by the annual actuarial valuation, not to exceed twenty  
23 percent of one percent of the aggregate amount of the tax shown to be collected by  
24 the tax roll of each respective parish, which money each respective sheriff shall turn  
25 over to the District Attorneys' Retirement System of Louisiana periodically at the  
26 same time said sheriff disburses funds to the tax recipient bodies of his respective  
27 parish. In the parish of Orleans the director of finance of the city of New Orleans  
28 shall deduct a percentage as determined by the annual actuarial valuation, not to  
29 exceed twenty percent of one percent of the aggregate amount of only those taxes

1 collected by the city of New Orleans pursuant to the provisions of R.S. 47:1502.1  
 2 and shall turn such funds collected over to the District Attorneys' Retirement System  
 3 periodically at the same time that funds are disbursed to the tax recipient bodies in  
 4 the parish of Orleans. **Aggregate taxes shown to be collectible in the city of New**  
 5 **Orleans shall not include any tax dedicated to a specific purpose stated in the**  
 6 **proposition authorizing the tax.**

7 \* \* \*

8 §2135. Pension accumulation fund; contributions to and payments from fund;  
 9 determination of normal and accrued liability contributions; remedies

10 \* \* \*

11 C. Contributions to and payments from the pension accumulation fund shall  
 12 be made as follows:

13 (1) Each tax collector shall deduct one-sixteenth of one percent of the  
 14 aggregate amount of the tax shown to be collected by the tax roll of each respective  
 15 parish which money each tax collector shall turn over to the Registrars of Voters  
 16 Employees' Retirement System of Louisiana, created by this Chapter, periodically  
 17 at the same time he disburses funds to the tax recipient bodies of his respective  
 18 parish. **Aggregate taxes shown to be collectible in the city of New Orleans shall**  
 19 **not include any tax dedicated to a specific purpose stated in the proposition**  
 20 **authorizing the tax.**

21 \* \* \*

22 §2174. Remittance of percentage of taxes collected to fund; membership; salary  
 23 deductions; deficiency in fund; credit

24 A. The Sheriffs' Pension and Relief Fund shall be composed as follows: Each  
 25 sheriff, except in the parish of Orleans, shall deduct annually one-half of one percent  
 26 of the aggregate amount of the taxes shown to be collectible by the tax rolls of his  
 27 parish and shall make remittance of such amounts direct to the treasurer of the board.  
 28 In the parish of Orleans, the state tax collector for the city of New Orleans shall  
 29 deduct annually one-half of one percent of the aggregate amount of taxes shown to

1 be collectible by the tax rolls of Orleans Parish and shall make remittance of such  
 2 amounts to the treasurer of the board. The deductions directed to be made by the  
 3 state tax collector for the city of New Orleans under this Act shall begin with the  
 4 1961 tax rolls and shall be annually thereafter. **Aggregate taxes shown to be**  
 5 **collectible in the city of New Orleans shall not include any tax dedicated to a**  
 6 **specific purpose stated in the proposition authorizing the tax.**

7 \* \* \*

8 Section 2. The calculation of taxes according to the provisions of this Act shall be  
 9 applied beginning with the 2019 actuarial valuation for each system affected herein.

10 Section 3. This Act shall become effective on June 30, 2019; if vetoed by the  
 11 governor and subsequently approved by the legislature, this Act shall become effective on  
 12 June 30, 2019, or on the day following such approval by the legislature, whichever is later.

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The original instrument and the following digest, which constitutes no part  
 of the legislative instrument, were prepared by Margaret M. Corley.

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#### DIGEST

SB 17 Original

2019 Regular Session

Peterson

Proposed law provides that the calculation of taxes according to the provisions of this Act shall be applied beginning with the 2019 actuarial valuation for each system.

Present constitution requires the legislature to determine employee contributions, employer contributions, and dedicated taxes required for the sound actuarial maintenance of the statewide public retirement systems.

Present law establishes ad valorem tax contributions to be remitted to seven statewide retirement systems as a percentage of aggregate taxes shown to be collectible by each parish. Taxes from Orleans Parish are to be remitted to five systems in the following amounts:

- (1) Assessors' Retirement Fund - 0.25%
- (2) Clerks' of Court Retirement and Relief Fund - 0.5%
- (3) Sheriffs' Pension and Relief Fund - 0.5%
- (4) Registrars' of Voters Employees' Retirement System - 0.0625%
- (5) District Attorneys' Retirement System - 0.2% of taxes collected pursuant to the provisions of R.S. 47:1502.1

Proposed law limits the taxes on which the city of New Orleans is required to measure the remittance due each system by specifying that aggregate taxes shown to be collectible in the city of New Orleans shall not include any tax dedicated to a specific purpose stated in the proposition authorizing the tax.

Proposed law provides that the calculation of taxes according to the provisions of this Act shall be applied beginning with the 2019 actuarial valuation for each system.

Effective June 30, 2019.

(Amends R.S. 11:82(A)(1), 1481(1)(a)(i), 1561(A), 1695(A)(2), 2135(C)(1), and 2174(A); adds R.S. 11:82(C))