HLS 19RS-224 ENGROSSED

2019 Regular Session

HOUSE BILL NO. 14

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BY REPRESENTATIVE CARPENTER

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

RETIREMENT/FIREFIGHTERS: Prohibits certain employees from rejoining the Firefighters' Retirement System and Municipal Police Employees' Retirement System

AN ACT

2 To amend and reenact R.S. 11:157(A) and (C) and to enact R.S. 11:157(D), relative to 3 membership in the Firefighters' Retirement System and the Municipal Police 4 Employees' Retirement System; to provide relative to rejoining the system and the 5 purchase of service credit under certain circumstances; to provide for membership 6 verification; 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. 11:157(A) and (C) are hereby amended and reenacted and R.S. 11:157(D) is enacted to read as follows: 12 13 §157. Firefighters' Retirement System; Municipal Police Employees' Retirement 14 System; optional membership; refund of employee contributions; irrevocable 15 election; reenrollment; membership verification information 16 A. Notwithstanding any other provision of law to the contrary, any employee 17 as defined in R.S. 11:2213 or 2252 who is employed by any municipality, parish, or 18 fire protection district of this state employer as defined in R.S. 11:2213 or 2252 19 which has its employees covered under the federal Social Security program and

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

which has not previously and specifically excluded its police officers or firefighters from coverage under this federal program, may elect not to be or elect not to become a member of either retirement system. Any member of either retirement system employee who elects not to be a member of the applicable retirement system shall be refunded his employee contributions which have been received by the system, without interest for the period for which he contributed to the system.

\* \* \*

C.(1) Any member employee who elects not to become a member of either the applicable retirement system set forth in Subsection A of this Section shall, before such election can become valid, execute and file with the retirement system an affidavit stating that his election not to be a member is of his own free will and is his own voluntary act and deed.

(2) Any member employee who files such an affidavit shall not be eligible to rejoin the system while he is employed by the same municipality, parish, or fire protection district unless he repays his previously refunded employee contributions, within sixty days of reenrollment in the system, in one lump sum, plus interest at the board-approved actuarial valuation rate in effect at the time of such repayment, calculated from the date of the refund until the date of repayment: employer or by any other employer whose employees are covered under the federal Social Security program. An employee who returns to work with any other employer whose employees are not covered under the federal Social Security program may not purchase credit for service for the period of time that he elected not to be a member pursuant to Subsection A of this Section.

D. The Department of Public Safety and Corrections may provide the Firefighters' Retirement System and the Municipal Police Employees' Retirement System with the name, address, and social security number of each recipient of state supplemental pay.

## **DIGEST**

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 14 Engrossed

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Carpenter

**Abstract:** Prohibits persons who withdraw from the Firefighters' Retirement System (FRS) or the Municipal Police Employees' Retirement System (MPERS) from rejoining the system.

<u>Present law</u> authorizes anyone who is employed by a parish, municipality, or fire protection district whose employees are also covered under the federal Social Security program to choose not to become a member of MPERS or FRS as applicable.

## Proposed law retains present law.

<u>Present law</u> requires a member who wishes to rejoin the system while employed by the same parish, municipality, or fire protection district to repay his refunded employee contributions with interest. <u>Proposed law</u> prohibits a person from rejoining FRS or MPERS while he is employed by the same employer or any other employer whose employees are covered under the federal Social Security program.

<u>Proposed law</u> further provides that an employee who chose not to be a member and who returns to work for an employer whose employees are not covered under the federal Social Security program may join or rejoin the system but may not purchase service credit for the period of time that he chose not to be a member.

<u>Proposed law</u> authorizes the Dept. of Public Safety and Corrections to provide FRS and MPERS with the name, address, and social security number of each recipient of state supplemental pay.

(Amends R.S. 11:157(A) and (C); Adds R.S. 11:157(D))

## Summary of Amendments Adopted by House

The Committee Amendments Proposed by <u>House Committee on Retirement</u> to the original bill:

- 1. Make technical corrections.
- 2. Authorize the Dept. of Public Safety and Corrections to provide FRS and MPERS with the address of each recipient of state supplemental pay.