

GREEN SHEET REDIGEST

HB 14

2019 Regular Session

Carpenter

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

DIGEST

Present law 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. Requires any employee who elects not to become a member to 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.

Proposed law retains present law, and for MPERS only, allows any employee employed on July 1, 2019, by any employer which entered into an agreement to cover its employees under social security under present federal law after June 30, 1973, and before January 1, 1990, and who is not a member of the retirement system on July 1, 2019, to elect not to become a member of the retirement system. Requires the employee to execute the affidavit provided for in present law.

Proposed law provides that before such election can become valid, the employee shall execute and file with the retirement system, on or before September 30, 2019, 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.

Proposed law provides that such employee shall not be eligible to join the system while he is employed by the same employer or by any employer whose employees are covered under the federal Social Security program and prohibits an employee who returns to work with any employer whose employees are not covered under the federal Social Security program to purchase credit for service for the period of time that he elected not to be a member.

Proposed law further provides that any employee who does not file an affidavit on or before September 30, 2019, shall be enrolled in the retirement system no later than October 1, 2019.

Present law 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. Proposed law 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.

Proposed law 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.

Proposed law authorizes the Dept. of Public Safety and Corrections, for purposes of membership verification, 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 House Committee on Retirement to the original bill:

1. Makes technical corrections.

2. Authorizes the Dept. of Public Safety and Corrections to provide FRS and MPERS with the address of each recipient of state supplemental pay.

The House Floor Amendments to the engrossed bill:

1. Specifies that the purpose for which Dept. of Public Safety and Corrections may provide state supplemental pay information is membership verification.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on reengrossed bill

1. Makes technical changes.
2. Provides any employee employed on July 1, 2019, by any employer as defined in present law which entered into an agreement under current federal law after June 30, 1973, and before January 1, 1990, and who is not a member of the MPERS on July 1, 2019, may elect not to become a member of the retirement system.
3. Provides that before such election can become valid, the employee shall execute and file with the retirement system, on or before September 30, 2019, 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.
4. Provides that such employee shall not be eligible to join the system while he is employed by the same employer or by any employer whose employees are covered under the federal Social Security program.
5. Prohibits an employee who returns to work with any employer whose employees are not covered under the federal Social Security program to purchase credit for service for the period of time that he elected not to be a member.
6. Provides that any employee who does not file an affidavit on or before September 30, 2019, shall be enrolled in the retirement system no later than October 1, 2019.