
HOUSE COMMITTEE AMENDMENTS

2020 Regular Session

Amendments proposed by House Committee on Retirement to Original House Bill No. 21
by Representative Bacala

1 AMENDMENT NO. 1

2 On page 1, line 2, change "11:2213(11)(b)," to "11:2213(11)(b) and (12),"

3 AMENDMENT NO. 2

4 On page 1, line 3, between "(2)(d)," and "2241.4," insert "2223(F),"

5 AMENDMENT NO. 3

6 On page 1, line 3, after "2242.8(1)(a)" insert a comma "," and delete "and"

7 AMENDMENT NO. 4

8 On page 1, at the beginning of line 4, change "11:2213(12.1)" to "11:2213(11)(h), (12.1),"

9 AMENDMENT NO. 5

10 On page 1, at the end of line 4, insert "(K), and (L),"

11 AMENDMENT NO. 6

12 On page 1, at the beginning of line 5, change 2223(G) through (I)," to "2213(A)(3) and (G),"

13 AMENDMENT NO. 7

14 On page 1, line 5, after "2242.8(5)," insert "and to repeal R.S. 11:2219,"

15 AMENDMENT NO. 8

16 On page 1, line 16, change "11:2213(11)(b)," to "11:2213(11)(b) and (12),"

17 AMENDMENT NO. 9

18 On page 1, line 17, between "(2)(d)," and "2241.4," insert "2223(F),"

19 AMENDMENT NO. 1020 On page 1, at the beginning of line 18, change "R.S. 11:2213(12.1)" to "R.S. 11:2213(11)(h),
21 (12.1),"22 AMENDMENT NO. 11

23 On page 1, at the end of line 18, insert "(K), and (L),"

24 AMENDMENT NO. 1225 On page 1, at the beginning of line 19, change 2223(G) through (I)," to "2223(A)(3) and
26 (G),"

1 AMENDMENT NO. 132 On page 2, line 7, after "Any" delete "full-time"3 AMENDMENT NO. 144 On page 2, at the end of line 7, delete "hundred" and insert "thousand"5 AMENDMENT NO. 15

6 On page 2, between lines 9 and 10, insert the following:

7 "(h) Any member who retires after June 30, 2021, and who is
8 employed on a full-time basis by a police department of any municipality in
9 Louisiana.10 (12) "Employer" shall mean any municipality in the state of
11 Louisiana which employs a full-time police officer, empowered to make
12 arrests, or which has an elected chief of police whose salary is at least one
13 ~~hundred~~ thousand dollars per month, and the Municipal Police Employees'
14 Retirement System."15 AMENDMENT NO. 1616 On page 3, line 7, between "documentation" and "is not" insert "for an employee whose
17 employment making him eligible for membership in the system occurs on or before June 30,
18 2024,"19 AMENDMENT NO. 17

20 On page 3, delete lines 8 and 9 and insert "allotted time period, the employee shall be"

21 AMENDMENT NO. 1822 On page 3, line 24, change "would be" to "becomes"23 AMENDMENT NO. 1924 On page 5, at the end of line 4, insert "If survivor benefits are being paid on behalf of a
25 deceased member at the time a survivor applies for benefits, that survivor's benefits shall
26 become effective and payable on the first day of the next month following sixty days from
27 the date that the system receives the survivor's completed application for benefits."28 AMENDMENT NO. 2029 On page 5, delete line 7 and on line 8, delete "year" and insert "shall be filed with the system
30 by the later of June 30, 2023, or three years"31 AMENDMENT NO. 2132 On page 5, delete lines 11 through 28 and on page 6, delete lines 1 through 7, and insert the
33 following:34 "(J)(1) The benefits of any retiree of this system who retires on or
35 after July 1, 2021, and becomes employed by an employer but does not meet
36 the definition of an employee within the twenty-four-month period
37 immediately following the effective date of his retirement shall be suspended
38 for the duration of such employment or the lapse of twenty-four months from
39 the effective date of retirement, whichever occurs first, even if such service

1 is part-time, based on employment by contract, or in a non-qualifying
 2 position.

3 (2)(a) The retiree and his employer shall immediately notify the board
 4 of the retiree's date of employment. If failure to give notice of employment
 5 results in any payment being made in violation of this Section, the employer
 6 shall be liable to the system for the repayment of such amounts.

7 (b) The employer shall be charged interest at the legal rate which
 8 shall be due from the date of the payment to the retiree.

9 (c) Any employer that fails to pay the system for overpayments under
 10 this Section within ninety days from the date that the benefit was paid shall
 11 be liable for a penalty of twenty-five percent of each monthly retirement
 12 benefit payment that was not repaid in full with interest.

13 (d) The employer shall also reimburse the system for any legal fees
 14 paid by the system in the collection of amounts pursuant to this Subsection.

15 (3) The provisions of this Subsection shall also apply to Hazardous
 16 Duty Subplan and Non-hazardous Duty Subplan retirees who retire on or
 17 after July 1, 2021.

18 K. (1) The board of trustees shall use all reasonable means to collect
 19 benefits paid by the system to an individual who was not due the benefit. The
 20 right to collect any benefit paid to a member, retiree, surviving spouse,
 21 surviving child, or optional beneficiary to whom the benefit was not due shall
 22 prescribe after a period of three years has elapsed from the date of the
 23 payment, except in the case of fraud. If any individual receiving a payment
 24 committed a fraud against the system, the collection of such fraudulent
 25 payment shall prescribe after a period of thirty years from the date of
 26 payment.

27 (2) The provisions of this Subsection do not apply to payments made
 28 to a retiree that were not due under Subsection J of this Section.

29 (3) Notwithstanding the provisions of 11:192, if the system pays a
 30 sum of money or benefits totaling at least five thousand dollars to a retiree,
 31 beneficiary, or survivor that is not due them and the retiree, beneficiary, or
 32 survivor is entitled to future benefits, the board of trustees shall adjust the
 33 amount payable to the correct amount and then actuarially reduce the
 34 corrected amount to account for the entire amount of overpayments plus legal
 35 interest from the date of the overpayment. Unless the overpayment was due
 36 to the fault of the system, the retiree, beneficiary, or survivor's benefit shall
 37 also be reduced to account for any cost incurred by the system to calculate
 38 the actuarial reduction.

39 L. Notwithstanding R.S. 11:143(D)(5), any member who transferred
 40 service credit from another system, fund, or plan at an accrual rate that is
 41 lower than the accrual rate of the transferring system, may elect to upgrade
 42 the accrual rate of all or a portion of his transferred service credit by paying
 43 an amount calculated on an actuarial basis that totally offsets the increase in
 44 accrued liability of the receiving system resulting from the accrual rate
 45 upgrade."

46 AMENDMENT NO. 22

47 On page 6, between lines 9 and 10, insert the following:

1 "A.

2 * * *

3 (3)(a) A member may appeal a decision made pursuant to R.S.
 4 11:218(D)(2) or (3), regarding eligibility for disability benefits, by filing a
 5 petition in the Nineteenth Judicial District Court of Louisiana within thirty
 6 days after receipt of written notice of the decision.

7 (b) An appeal of any other decision of the board regarding eligibility
 8 for disability benefits may be instituted by the member or his beneficiary by
 9 filing a petition in the Nineteenth Judicial District Court of Louisiana within
 10 thirty days after receipt of written notice of the decision."

11 AMENDMENT NO. 23

12 On page 6, at the beginning of line 11, delete "G." and insert "F. ~~Notwithstanding the~~
 13 ~~provisions of R.S. 11:221(E), any disability benefits granted under the provisions of this~~
 14 ~~Section shall not be reduced because the disability retiree is also receiving social security~~
 15 ~~disability benefits."~~

16 AMENDMENT NO. 24

17 On page 6, line 12, change "one year" to "three years"

18 AMENDMENT NO. 25

19 On page 6, at the beginning of line 13, change "H.(1)" to "G.(1)"

20 AMENDMENT NO. 26

21 On page 6, line 21, after "R.S." change "11:218." to "11:218 or 2223(A)(3)."

22 AMENDMENT NO. 27

23 On page 6, delete lines 22 through 27 and on page 7, delete lines 1 through 3

24 AMENDMENT NO. 28

25 On page 7, line 14, after "Plan" delete the remainder of the line and on line 15, delete "(d)
 26 Any annuity" and insert "annuity benefit"

27 AMENDMENT NO. 29

28 On page 8, delete lines 25 and 26, and insert the following:

29 "B. Members of the subplan who have service"

30 AMENDMENT NO. 30

31 On page 9, line 11, after "age" delete "sixty" and insert "fifty-five"

32 AMENDMENT NO. 31

33 On page 9, line 12, after "trustees." delete the remainder of the line and delete lines 13
 34 through 20

1 AMENDMENT NO. 32

2 On page 10, line 15, after "trustees." delete the remainder of the line and delete lines 16
3 through 23

4 AMENDMENT NO. 33

5 On page 11, line 4, between "Section 2." and "This Act" insert the following:

6 "R.S. 11:2219 is hereby repealed in its entirety.

7 Section 3."