

2020 Regular Session

HOUSE BILL NO. 13

BY REPRESENTATIVE CARPENTER

RETIREMENT/STATEWIDE SYS: Provides relative to enrollment of employees in the Firefighters' Retirement System or the Municipal Police Employees' Retirement System

1 AN ACT

2 To amend and reenact R.S. 11:157(A)(1), relative to the Firefighters' Retirement System and  
3 the Municipal Police Employees' Retirement System; to provide relative to employee  
4 membership in the systems; and to provide for related matters.

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

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 11:157(A)(1) is hereby amended and reenacted to read as follows:

10 §157. Firefighters' Retirement System; Municipal Police Employees' Retirement  
11 System; optional membership; refund of employee contributions; irrevocable  
12 election; reenrollment; membership verification information

13 A.(1) Notwithstanding any other provision of law to the contrary, any  
14 employee as defined in R.S. 11:2213 or 2252 who is employed by any employer as  
15 defined in R.S. 11:2213 or 2252 which has its employees covered under the federal  
16 Social Security program and which has not previously and specifically excluded its  
17 police officers or firefighters from coverage under this federal program may elect not  
18 to be or elect not to become a member of the applicable retirement ~~system~~system;  
19 however, the employer shall enroll the employee in the applicable retirement system

1        at the time of employment, and the employee shall remain enrolled until he fulfills  
2        the requirements set forth in Paragraph (C)(1) of this Section. Any employee who  
3        elects not to be a member of the applicable retirement system shall be refunded his  
4        employee contributions which have been received by the system, without interest for  
5        the period for which he contributed to the system.

6    \*            \*            \*

7        Section 2. This Act shall become effective upon signature by the governor or, if not  
8        signed by the governor, upon expiration of the time for bills to become law without signature  
9        by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
10       vetoed by the governor and subsequently approved by the legislature, this Act shall become  
11       effective on the day following such approval.

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 13 Engrossed                                      2020 Regular Session                                      Carpenter

**Abstract:** Relative to municipal, parish, and fire protection district employees who are covered by Social Security and have the option of not joining the Firefighters' Retirement System (FRS) or the Municipal Police Employees' Retirement System (MPERS) as applicable, requires enrollment in the applicable system until the employee files the affidavit required by present law.

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.

Proposed law retains present law.

Present law requires an employee who elects not to become a member of the applicable retirement system 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 except to require enrollment of the employee in the applicable retirement system until he files the affidavit.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 11:157(A)(1))