

2021 Regular Session

HOUSE BILL NO. 22

BY REPRESENTATIVE LACOMBE

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

RETIREMENT/TEACHERS: Provides relative to Louisiana School Boards Association employees' membership in retirement systems

1 AN ACT

2 To amend and reenact R.S. 11:701(33)(a)(xiv) and 1902(12)(b) and (13) and to enact R.S.  
3 11:701(33)(a)(xv) and 1902(12)(h) and (i), relative to the Parochial Employees'  
4 Retirement System and the Teachers' Retirement System of Louisiana; to provide for  
5 membership of Louisiana School Boards Association employees within the Teachers'  
6 Retirement System of Louisiana, rather than the Parochial Employees' Retirement  
7 System; to provide for exceptions; to provide for an effective date; and to provide  
8 for related matters.

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

12 Be it enacted by the Legislature of Louisiana:

13 Section 1. R.S. 11:701(33)(a)(xiv) and 1902(12)(b) and (13) are hereby amended and  
14 reenacted and R.S. 11:701(33)(a)(xv) and 1902(12)(h) and (i) are hereby enacted to read as  
15 follows:

16 §701. Definitions

17 As used in this Chapter, the following words and phrases have the meanings  
18 ascribed to them in this Section unless a different meaning is plainly required by the  
19 context:

20 \* \* \*

1 (33)(a) "Teacher", except as provided in Subparagraph (b) of this Paragraph,  
2 shall mean any of the following:

3 \* \* \*

4 (xiv) The director of the Louisiana School Boards Association and any  
5 employee of the association who was either hired by the association after June 30,  
6 2021, or who, as of June 30, 2021, has at least five years of creditable service in the  
7 system.

8 (xv) In all cases of doubt, the board of trustees shall determine whether any  
9 person is a teacher within the scope of the definition set forth in this Paragraph.

10 \* \* \*

11 §1902. Definitions

12 As used in this Chapter, the following words and phrases shall have the  
13 following meanings, unless a different meaning is plainly required by context:

14 \* \* \*

15 (12)

16 \* \* \*

17 (b) "Employee" shall also mean a person employed by either the Police Jury  
18 Association of Louisiana, ~~the Louisiana School Boards Association,~~ or this  
19 retirement system and elected officials of the governing authority of any parish  
20 covered by this Chapter, and shall include members of school boards at their options.  
21 ~~In any case of doubt, the board of trustees shall be the sole judge of who is an~~  
22 ~~employee.~~

23 \* \* \*

24 (h) "Employee" also means an employee of the Louisiana School Boards  
25 Association who meets all of the following:

26 (i) He was hired by the association before July 1, 2021.

27 (ii) He, as of June 30, 2021, has less than five years of creditable service in  
28 the Teachers' Retirement System of Louisiana.

29 (iii) He is not the director of the Louisiana School Boards Association.

1                     (i) In any case of doubt, the board of trustees shall be the sole judge of who  
2                     is an employee.

3                     (13) "Employer" means any parish in the state of Louisiana, except Orleans  
4                     and East Baton Rouge Parishes, or the police jury or any other governing body of a  
5                     parish which employs and pays persons serving the parish. "Employer" means also  
6                     the Police Jury Association of Louisiana, ~~the Louisiana School Boards Association,~~  
7                     this retirement system, and any entity with an approved plan pursuant to R.S.  
8                     11:1903. "Employer" also means the Louisiana School Boards Association if an  
9                     employee of the association is an employee as defined in Subparagraph (12)(b) of  
10                    this Section. "Employer" shall not mean a parish or city school board.

11   \*       \*       \*

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

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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)]

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HB 22 Original   2021 Regular Session   LaCombe

**Abstract:** Provides for the transfer of certain employees of the La. School Boards Assoc. from the Parochial Employees' Retirement System of La. (PERS) to the Teachers' Retirement System of La. (TRSL).

Present law provides that employees of the La. School Boards Assoc. are members of PERS.

Proposed law provides that the following employees of the association are members of TRSL instead:

- (1) New employees (hired after June 30, 2021).
- (2) Any employee with at least five years of service credit in TRSL.
- (3) The director of the association.

Proposed law provides that employees who do not fit one of these criteria remain members of PERS.

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

(Amends R.S. 11:701(33)(a)(xiv) and 1902(12)(b) and (13); Adds R.S. 11:701(33)(a)(xv) and 1902(12)(h) and (i))