

2021 Regular Session

SENATE BILL NO. 18

BY SENATOR JOHNS

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

STATE POLICE RETIREMENT. Provides for the reemployment of retirees. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 11:1311, relative to the State Police Retirement System; to
3 provide for reemployment of retirees; to provide for implementation; to provide for
4 an effective date; and to provide for related matters.

5 Notice of intention to introduce this Act has been published.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 11:1311 is hereby amended and reenacted to read as follows:

8 §1311. Reemployment of retiree

9 A. Whenever a retiree returns to employment as a ~~sworn, commissioned law~~
10 ~~enforcement officer of the office of state police in any office, section, agency,~~
11 ~~commission, or branch of the Department of Public Safety and Corrections as~~
12 ~~defined in Title 36 of the Louisiana Revised Statutes of 1950, whether by executive~~
13 ~~order or by any other authorized action or authority, such person **which otherwise**~~
14 ~~**would render him eligible for membership in the system, he**~~ shall not be entitled
15 to renew his membership in or become a member of the system. If his earnings in
16 such employment **in any calendar year** are more than fifty percent of his average
17 final compensation, payment of his retirement benefit shall be suspended for every

1 month of such employment. Upon the subsequent separation of such employment or
 2 upon death prior thereto, the retirement allowance to which he shall then be entitled
 3 and the benefits to which any of his dependents shall then be entitled shall be the
 4 same as those to which he and/or his dependents or beneficiaries were entitled prior
 5 to and at the time of such employment.

6 B. Notwithstanding the provisions of R.S. 11:149(A), whenever a retiree
 7 returns to employment with the Department of Public Safety and Corrections in any
 8 capacity ~~other than as a sworn, commissioned law enforcement officer of the state~~
 9 ~~police~~, **that would not render him eligible for membership in the system**, his
 10 employment shall, if otherwise applicable, be governed, with respect to retirement,
 11 by the laws governing the Louisiana State Employees' Retirement System.

12 Section 2. The provisions of this Act shall be considered remedial and interpretive
 13 and shall be applied retroactively and prospectively.

14 Section 3. This Act shall become effective upon signature by the governor or, if not
 15 signed by the governor, upon expiration of the time for bills to become law without signature
 16 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 17 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 18 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
 of the legislative instrument, were prepared by Angela L. De Jean.

DIGEST

SB 18 Original

2021 Regular Session

Johns

Present law (R.S. 11:1305(A) and (B)) provides for the membership of the State Police Retirement System (SPRS) to be comprised of all classified, sworn, commissioned law enforcement officers of the office of state police of the Dept. of Public Safety & Corrections who have satisfactorily completed the State Police Training Academy Course of Instruction.

Proposed law retains present law.

Present law provides for the effect on a retiree's benefit if the retiree becomes reemployed as a sworn, commissioned law enforcement officer of the office of state police. Specifies that after the retiree has earned more than 50% of his average final compensation (AFC) the monthly benefit shall be suspended.

Proposed law retains present law and clarifies that the earnings limitation and benefit suspension provisions apply on a calendar basis only to reemployment in a position covered by the SPRS.

Proposed law specifies that proposed law is remedial and interpretive and to be applied both retroactively and prospectively.

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

(Amends R.S. 11:1311)