

2021 Regular Session

HOUSE BILL NO. 22

BY REPRESENTATIVE LACOMBE AND SENATORS PRICE, WARD, AND WOMACK

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), 1902(12)(h) and (i), and 1903.1, relative to the Parochial
4 Employees' Retirement System of Louisiana and the Teachers' Retirement System
5 of Louisiana; to provide for membership of Louisiana School Boards Association
6 employees within the Teachers' Retirement System of Louisiana, rather than the
7 Parochial Employees' Retirement System of Louisiana; to provide for exceptions; to
8 provide for payment of accrued liabilities; to provide for an effective date; and to
9 provide for related matters.

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

13 Be it enacted by the Legislature of Louisiana:

14 Section 1. R.S. 11:701(33)(a)(xiv) and 1902(12)(b) and (13) are hereby amended and
15 reenacted and R.S. 11:701(33)(a)(xv), 1902(12)(h) and (i), and 1903.1 are hereby enacted
16 to read as follows:

17 §701. Definitions

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

21 * * *

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.

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

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

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

12 * * *

13 §1903.1. Louisiana School Boards Association

14 A. If an employee of the Louisiana School Boards Association separates
 15 from service and at the time of such separation is enrolled in this system because of
 16 the employee's employment with the Louisiana School Boards Association, the
 17 Louisiana School Boards Association shall remit to this system that portion of the
 18 unfunded actuarial accrued liability, if any, existing on the December thirty-first
 19 immediately prior to the date of separation of employment which is attributable to
 20 that position.

21 B. The unfunded accrued liability shall be determined by the actuary
 22 employed by the system using the entry age normal funding method and the system's
 23 actuarial value of assets. The portion of the unfunded actuarial accrued liability
 24 attributable to any such position shall be determined based upon the annual salary
 25 of the person who left the position divided by the total annual salary for all
 26 participating members of Plan B.

27 Section 2. The cost, if any, of the additional benefit in Section 1 of this Act to be
 28 paid by the Teachers' Retirement System of Louisiana shall be funded with additional
 29 employer contributions in compliance with Article X, Section 29(F) of the Constitution of
 30 Louisiana.

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

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____