

2022 Regular Session

HOUSE BILL NO. 20

BY REPRESENTATIVE ILLG

RETIREMENT/DISTRICT ATTY: Provides relative to the District Attorneys' Retirement System board of trustees and the reemployment of system retirees

1 AN ACT

2 To amend and reenact R.S. 11:1631(F)(2) and 1651(B)(introductory paragraph) and (3) and
3 (D), relative to the District Attorneys' Retirement System; to provide for
4 reemployment of retirees; to provide for benefits of reemployed retirees; to provide
5 for membership on the board of trustees and their per diem; and to provide for
6 related matters.

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

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 11:1631(F)(2) and 1651(B)(introductory paragraph) and (3) and (D)
12 are hereby amended and reenacted to read as follows:

13 §1631. Retirement benefits; application; eligibility requirements

14 * * *

15 F.

16 * * *

17 (2) Notwithstanding the provisions of Paragraph (1) of this Subsection, if
18 ~~any district attorney or assistant district attorney~~ the benefit of a retiree shall not be
19 suspended during reemployment by any district attorney in this state, and he shall not

1 be considered a member, earn additional service credit, or be required to pay
2 contributions, if he meets all of the following requirements:

3 (a) He has retired in accordance with R.S. 11:1633(A)(1)(b) or (c). ~~and is~~
4 ~~reemployed by any district attorney in this state~~

5 (b) More than sixty days has passed since the effective date of his retirement.

6 (c) He is ~~and~~ paid a salary of less than one of the following as applicable:

7 (i) If he is younger than the age set for working retirement by 26 U.S.C.
8 401(a)(36), one half of his final annual salary at the time of his retirement or the
9 annual salary provided for in 16:11(A)(1), whichever is less.

10 (ii) If he is not younger than the age set for working retirement by 26 U.S.C.
11 401(a)(36), the annual salary provided for in R.S. 16:11(A)(1), his benefit shall not
12 ~~be suspended, and he shall not be considered a member, nor shall he earn additional~~
13 ~~credit or be required to pay contributions.~~

14 * * *

15 §1651. Board of trustees; membership; vacancies; compensation

16 * * *

17 B. The board shall consist of ~~nine~~ ten trustees as follows:

18 * * *

19 (3) ~~One~~ Two retired ~~member~~ members of the system, ~~who shall have one of~~
20 whom served as either a district attorney or and one of whom served as an assistant
21 district attorney. ~~and who~~ Both shall be elected by the retired members of the
22 District Attorneys' Retirement System according to rules and regulations as the
23 ~~Board of Trustees~~ board shall adopt to govern such elections; ~~and~~ and shall serve as a
24 member for a term of five years.

25 * * *

26 D. The trustees shall receive for attendance at meetings of the board a per
27 diem of ~~fifty~~ seventy-five dollars per day plus the normal expense allowance allowed

Proposed law provides both a retired district attorney and assistant district attorney are elected to serve on the board.

Per Diem

Present law provides for per diem for board members of \$50 per day.

Proposed law increases per diem to \$75 per day.

Effective June 30, 2022.

(Amends R.S. 11:1631(F)(2) and 1651(B)(intro. para.) and (3) and (D))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Retirement to the original bill:

1. Make Act effective June 30, 2022.