

2023 Regular Session

HOUSE BILL NO. 44

BY REPRESENTATIVE HORTON

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

RETIREMENT/FIREFIGHTERS: Provides relative to the board of trustees of the Firefighters' Retirement System

1 AN ACT

2 To amend and reenact R.S. 11:2260(A)(2) and (6), relative to the Firefighters' Retirement
3 System; to provide for membership on the system's board of trustees; and to provide
4 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. 11:2260(A)(2) and (6) are hereby amended and reenacted to read as
10 follows:

11 §2260. Administration

12 A. Board of trustees:

13 * * *

14 (2)(a) The board shall consist of ~~ten~~ fifteen trustees as follows:

15 (a) ~~Two members of the Professional Fire Fighters Association who shall be~~
16 ~~members of the system and who shall be elected by a majority of the officers of the~~
17 ~~association as follows:~~

18 (i) ~~One member shall be elected in December, 1988, to take office January~~
19 ~~1, 1989, to serve until January 1, 1992, and his successor shall be elected for a term~~
20 ~~of five years, commencing on January 1, 1992.~~

1 ~~(ii) One member shall be elected in December, 1988, to take office January~~
2 ~~1, 1989, to serve until January 1, 1993, and his successor shall be elected for a term~~
3 ~~of five years, commencing on January 1, 1993.~~

4 (i) One retired firefighter shall be elected from each of the following districts
5 by the retired firefighters who reside in the respective district:

6 (aa) District 1: Bienville, Bossier, Caddo, Caldwell, Claiborne, DeSoto, East
7 Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Red River,
8 Richland, Tensas, Union, Webster, and West Carroll.

9 (bb) District 2: Avoyelles, Catahoula, Concordia, Grant, LaSalle,
10 Natchitoches, Rapides, Sabine, Vernon, and Winn.

11 (cc) District 3: Acadia, Allen, Assumption, Beauregard, Calcasieu,
12 Cameron, Evangeline, Iberia, Iberville, Jefferson Davis, Lafayette, St. Landry, St.
13 Martin, St. Mary, and Vermillion.

14 (dd) District 4: Ascension, East Baton Rouge, East Feliciana, Livingston,
15 Pointe Coupee, St. Helena, St. Tammany, Tangapahoa, Washington, West Baton
16 Rouge, and West Feliciana.

17 (ee) District 5: Jefferson, Lafourche, Orleans, Plaquemine, St. Bernard, St.
18 Charles, St. James, St. John, and Terrebonne.

19 ~~(b) (ii) A fire chief who is chief~~ Two fire chiefs who are chiefs of a fire
20 ~~department~~ departments participating in the system and who ~~is a member~~ are
21 members of the system; shall be elected ~~in December, 1988~~ by a majority of the fire
22 chiefs of fire departments participating in the system; ~~to take office January 1, 1989,~~
23 ~~to serve until January 1, 1991, and his successor shall be elected for a term of five~~
24 ~~years, commencing on January 1, 1991.~~

25 ~~(c) (iii)~~ (iii) Two mayors shall be appointed by the Louisiana Municipal
26 Association from municipalities having fire departments participating in the system;
27 to serve at the pleasure of the Louisiana Municipal Association.

28 ~~(d)(i)~~ (iv)(aa) A member of the House Committee on Retirement appointed
29 by the speaker, or the member's designee.

1 ~~(ii)~~ (bb) The chairman of the Senate Committee on Retirement, or his
2 designee.

3 ~~(e)~~ (v) ~~A retiree~~ An active firefighter who has at least six years of creditable
4 service, whose rank does not exceed captain, and who is a member of the system;
5 ~~who shall be elected by a majority vote of the members of the board from at least~~
6 ~~three nominees submitted by the retired members of the system, for a term of five~~
7 ~~years, commencing on January 1, 1989~~ the active members of the retirement system.

8 ~~(f)~~ (vi) A surviving spouse of a deceased member shall be elected at large
9 by the retired members of the retirement system and spouses of deceased members.

10 (vii) The state treasurer or his designee.

11 ~~(g)~~ (viii) The commissioner of administration or his designee.

12 ~~(b)~~ (i) Except as provided in Item (ii) of this Subparagraph, the term of a
13 trustee elected pursuant to Item (a)(i), (ii), (v), or (vi) of this Paragraph is five years.

14 ~~(ii)~~ Three such trustees shall serve an initial term of two years; three shall
15 serve an initial term of three years; and three shall serve an initial term of four years;
16 all as determined by lot at the first meeting of the board on or after September 1,
17 2024.

18 ~~(c)~~ No trustee serving pursuant to Item (a)(i), (ii), (v), or (vi) who has served
19 as a trustee for more than two and one-half consecutive five-year terms may be
20 elected to the position for the succeeding term.

21 * * *

22 (6) Each trustee shall be entitled to one vote on the board. An affirmative
23 vote by ~~at least five~~ a majority of the members of the board of trustees shall be
24 necessary for a decision by the trustees at any meeting of the board. The phrase
25 "affirmative vote" shall mean that the vote shall be cast in favor of approving any
26 motion.

27 * * *

1 Section 2.(A) Notwithstanding any contrary provision of R.S. 11:2260(A)(2) in
2 effect on June 30, 2023, the term of any member of the Firefighters' Retirement System
3 board of trustees who is serving pursuant to R.S. 11:2260(A)(2)(a), (b), or (e) on June 30,
4 2023, ends on September 1, 2024.

5 (B) Elections for members of the Firefighters' Retirement System board of trustees
6 pursuant to R.S. 11:2260(A)(2)(a)(i), (ii), (v), or (vi) as provided by this Act shall be
7 conducted by October 1, 2023. The initial terms of trustees elected in such elections begin
8 on September 1, 2024, and the length of such terms shall be determined in accordance with
9 R.S. 11:2260(A)(2)(b)(ii) as provided in this Act.

10 Section 3. This Act shall become effective upon signature by the governor or, if not
11 signed by the governor, upon expiration of the time for bills to become law without signature
12 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
13 vetoed by the governor and subsequently approved by the legislature, this Act shall become
14 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 44 Original

2023 Regular Session

Horton

Abstract: Provides for membership on the board of trustees of the Firefighters' Retirement System (FRS).

Present law provides that the FRS is governed by a board of trustees comprised of 10 members. Proposed law increases the number of trustees to 15.

Present law provides that one trustee is a fire chief elected by the fire chiefs. Proposed law provides for two such trustees.

Present law provides that two trustees are members of the Professional Fire Fighters Assoc. selected by the association's officers. Proposed law repeals present law.

Present law provides that one trustee is a system retiree selected by the board from nominations submitted by system retirees.

Proposed law provides for five retirees to be elected as trustees from geographic districts by the retirees who reside in the respective district.

Proposed law provides that one trustee is a surviving spouse of a deceased firefighter elected by retired members of FRS and spouses of deceased members.

Proposed law provides that one trustee is an active firefighter with at least six years of creditable service and a rank not above captain who is elected by the active members of FRS.

Proposed law provides for term limits for elected trustees; a person who has served more than two and one-half terms may not be elected to the succeeding term.

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

(Amends R.S. 11:2260(A)(2) and (6))