

2023 Regular Session

SENATE BILL NO. 17

BY SENATOR PEACOCK

LOCAL RETIREMENT. Provides for the composition, terms, powers, and duties of the Shreveport police and firefighters' pension boards of trustees. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 11:3433, 3434, and 3714 and to enact R.S. 11:3715(C), relative
3 to the boards of trustees for certain retirement systems for hazardous duty employees
4 of the city of Shreveport; to provide for board composition, terms, powers, and
5 duties; to authorize the employment of certain professionals; and to provide for
6 related matters.

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

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 11:3433, 3434, and 3714 are hereby amended and reenacted and R.S.
10 11:3715(C) is hereby enacted to read as follows:

11 §3433. Board of ~~Trustees~~ **trustees**; composition

12 A. The "Board of Trustees of the Firemen's Pension and Relief Fund of the
13 city **City** of Shreveport, Louisiana;" shall be and is hereby created a corporate body
14 politic and shall be composed of:

15 (1) The mayor of the city, who shall be ex officio president of the board.

16 (2) The director of finance of the city, who shall be ex officio treasurer
17 ~~thereof~~ **of the board.**

1 (3) The chief administrative officer of the city.

2 (4) ~~The chief of the city fire department.~~

3 ~~(5)(a)~~ Five members of the city fire department, who may be either active
4 members who were merged with the statewide Firefighters' Retirement System on
5 January 1, 1983, and have merger contracts with the city, or members who are retired
6 from the department who are eligible for participation in the fund established by this
7 Part.

8 **(b) One surviving spouse of a deceased retired member who was**
9 **qualified to serve on the board under the requirements of Subparagraph (a) of**
10 **this Paragraph at the time of the member's death. If no surviving spouse seeks**
11 **election in accordance with R.S. 11:3434, then the members of the board elected**
12 **under the provisions of Subparagraph (a) of this Paragraph shall appoint a**
13 **surviving spouse to serve as a board member.**

14 **B. The board members listed in Paragraph A(4) of this Section shall**
15 **serve four-year terms.**

16 **C.** The secretary of ~~said~~ **the** board shall be chosen by a majority vote of the
17 members of ~~said~~ **the** board; and shall be elected for a ~~two-year~~ **four-year** term.

18 §3434. ~~Members from fire departments; elections;~~ **Election of board members;**
19 qualifications to vote

20 **A.** The five members to be selected under R.S. ~~11:3433(A)(5)~~
21 **11:3433(A)(4)(a)** shall be elected ~~biennially~~ on the last Monday in June in
22 ~~even-numbered 2024 and every four~~ years **thereafter** by secret ballot of the active
23 and retired members of the city ~~Fire Department,~~ **fire department** eligible for
24 participation in the ~~Fund~~ **fund** established under this Part. **The member to be**
25 **selected under R.S. 11:3433(A)(4)(b) shall be elected on the last Monday in June**
26 **in 2024 and every four years thereafter by secret ballot of the surviving spouses**
27 **eligible to serve on the board as provided in R.S. 11:3433(A)(4)(b).** In the event
28 a vacancy should occur in the ~~Board of Trustees~~ **board of trustees** among the
29 members of the ~~Board~~ **board** elected under R.S. ~~11:3433(A)(5)~~ **11:3433(A)(4)**, a

1 special election shall be called by the ~~Board~~ **board** within sixty days after the
2 occurrence of ~~such~~ **the** vacancy.

3 **B.(1) The board members elected in 2022 shall complete their two-year**
4 **terms.**

5 **(2) The elected board members serving on the effective date of this**
6 **Subsection shall appoint a surviving spouse to serve on the board until the 2024**
7 **election.**

8 * * *

9 §3714. Board of trustees of fund

10 A. There shall be a board of trustees of the Police Pension Fund of the City
11 of Shreveport for the administration, management, operation, and control of the fund.

12 B. The board shall be composed of ~~nine~~ **the following** members, ~~as follows:~~

13 (1) The mayor of the city of Shreveport, who shall serve as president.

14 (2) The chief administrative officer of the city of Shreveport.

15 ~~(3) The chief of police of the police department of the city of Shreveport.~~

16 ~~(4)~~ The director of finance of the city of Shreveport, who shall serve as
17 treasurer.

18 ~~(5)(a) Four~~ **(4)(a) Five** persons, **who each of whom** shall be **any one** of the
19 following:

20 (i) An active member of the fund who became a member prior to July 12,
21 1977.

22 (ii) A former member who is receiving a benefit from the fund and who
23 became a member prior to July 12, 1977.

24 (iii) The surviving spouse of an active member of the fund who became a
25 member prior to July 12, 1977.

26 (iv) The surviving spouse of a former member who was receiving a benefit
27 from the fund immediately prior to death and who became a member prior to
28 July 12, 1977.

29 (b) These ~~four~~ members shall be elected by those persons who are eligible to

1 become members of the board of trustees. The elections shall be conducted in the
2 manner set forth by the board of trustees sitting prior to the election.

3 (c) These ~~four~~ members shall serve ~~four~~-year terms.

4 (d) The board of trustees shall elect one of these ~~four~~ members to serve as
5 secretary.

6 ~~(6)(5)~~ A member possessing the same qualifications as ~~that~~ those of the
7 members provided for in Subparagraph ~~5(a)~~ (4)(a) of this Subsection; shall be
8 elected by the other ~~eight~~ members for a term concurrent with that of the ~~four~~ elected
9 members provided for in Subparagraph ~~5(a)~~ (4)(a) of this Subsection.

10 §3715. Management of fund; salary deductions; action of board to be final; meetings

11 * * *

12 **C. The board may retain legal, actuarial, accounting, investment,**
13 **medical, clerical, or other services as may be necessary for the conduct of the**
14 **affairs of the fund and fix the rate of compensation for those services.**

15 Section 2. This Act shall become effective upon signature by the governor or, if not
16 signed by the governor, upon expiration of the time for bills to become law without signature
17 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
18 vetoed by the governor and subsequently approved by the legislature, this Act shall become
19 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 LG Sullivan.

DIGEST

SB 17 Reengrossed

2023 Regular Session

Peacock

Present law creates local pension funds to provide retirement, survivor, and disability benefits for Shreveport firefighters and police officers. Provides for governance of each fund by a board of trustees. Provides for the composition, terms, powers, and duties of the members of each board. Provides for ex officio and elected members.

Proposed law retains present law.

Proposed law removes the fire and police chiefs, who are not members of the respective funds, and replaces them with fund members.

Proposed law replaces the fire chief with the surviving spouse of a deceased retiree. Requires the elected board members serving on the effective date of proposed law to appoint a surviving spouse to serve until the 2024 election.

Present law applicable to the police retirement fund provides for the election of four board members who are fund members or retirees or are surviving spouses of fund members or retirees, elected by persons who are eligible to become board members.

Proposed law replaces the police chief with another elected member.

Present law provides for election of the firefighters' board every two years.

Proposed law provides for four-year terms beginning with the 2024 election. If no surviving spouse seeks election under proposed law, requires the elected board members to appoint a surviving spouse to serve as a board member.

Present law provides for the management and governance of the police and firefighters' retirement funds. Authorizes the firefighters' board to retain and compensate certain professionals whose services are necessary for conducting the affairs of the fund.

Proposed law retains present law and specifies that the police board may retain any necessary legal, actuarial, accounting, investment, medical, clerical or other services and fix the rate of compensation for those services.

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

(Amends R.S. 11:3433, 3434, and 3714; adds R.S. 11:3715(C))

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Require the elected board members serving on the effective date of proposed law to appoint a surviving spouse to serve until the 2024 election.
2. If no surviving spouse seeks election under proposed law, require the elected board members to appoint a surviving spouse to serve as a board member.