2023 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 69

BY REPRESENTATIVES MIKE JOHNSON, JEFFERSON, KNOX, AND LAFLEUR

RETIREMENT BENEFITS: Requests the House Committee on Retirement and the Senate Retirement Committee to study future benefit options for employees

1	A CONCURRENT RESOLUTION
2	To urge and request the House Committee on Retirement and Senate Committee on
3	Retirement to study and make recommendations regarding benefit options for future
4	employees of the state of Louisiana to avoid penalties associated with the
5	Government Pension Offset and Windfall Elimination Program.
6	WHEREAS, the Congress of the United States of America has enacted both the
7	Government Pension Offset (GPO), reducing the spouse and survivor Social Security benefit
8	and the Windfall Elimination Provision (WEP), reducing the earned Social Security benefits
9	payable to any person who also receives a public pension benefit; and
10	WHEREAS, the GPO negatively affects a spouse or survivor receiving a federal,
11	state, or local government retirement or pension benefit who would also be entitled to a
12	Social Security benefit earned by a spouse; and
13	WHEREAS, the GPO formula unfairly reduces the spouse or survivor Social
14	Security benefit by two-thirds of the amount of federal, state, or local government retirement
15	or pension benefit received by the spouse or survivor, in many cases completely eliminating
16	the Social Security benefit even though the spouse paid Social Security taxes for many years;
17	and
18	WHEREAS, the GPO has a harsh effect on hundreds of thousands of citizens and
19	undermines the original purpose of the Social Security dependent/survivor benefit; and
20	WHEREAS, according to recent Social Security Administration figures, more than
21	half a million individuals nationally are affected by the GPO; and

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1	WHEREAS, the WEP applies to those persons who have earned federal, state, or
2	local government retirement or pension benefits, in addition to working in employment
3	covered under Social Security and paying into the Social Security system; and
4	WHEREAS, the WEP unfairly reduces the earned Social Security benefit using an
5	averaged indexed monthly earnings formula and may reduce Social Security benefits for
6	affected persons by as much as one-half of the retirement benefit earned as a public servant
7	in employment not covered under Social Security; and
8	WHEREAS, the WEP causes hardworking individuals to lose a significant portion
9	of the Social Security benefits that they earned themselves; and
10	WHEREAS, according to recent Social Security Administration figures, more than
11	one and a half million individuals nationally are affected by the WEP; and
12	WHEREAS, in certain circumstances, both the WEP and GPO can be applied to a
13	qualifying survivor's benefit, each independently reducing the available benefit and in
14	combination eliminating a large portion of the total Social Security benefit available to the
15	survivor; and
16	WHEREAS, because of the calculation characteristics of the GPO and WEP, the
17	have a disproportionately negative effect on employees working in lower-wage government
18	jobs, like policemen, firefighters, teachers, and state employees; and
19	WHEREAS, Louisiana is making every effort to improve the quality of life of its
20	citizens and to encourage them to live here, yet the current GPO and WEP provisions
21	compromise their quality of life; and
22	WHEREAS, the number of people affected by GPO and WEP is growing everyday
23	as more and more people reach retirement age; and
24	WHEREAS, individuals drastically affected by the GPO and WEP may have no
25	choice but to return to work after retirement in order to make ends meet, but the earnings
26	accumulated during this return to work can further reduce Social Security benefits the
27	individual is entitled to; and
28	WHEREAS, the GPO and WEP are established in federal law, and repeal of the GPO
29	and WEP can only be enacted by congress; and

1	WHEREAS, the Legislature of Louisiana adopted House Concurrent Resolution
2	No. 11 of the 2022 Regular Session memorializing congress to support H.R. 82 of the 117th
3	Congress and other state legislators to do the same in order to reduce or eliminate the GPC
4	and WEP.
5	THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
6	urge and request the House Committee on Retirement and the Senate Committee or
7	Retirement to study and make recommendations regarding benefit options for future
8	employees of the state of Louisiana to avoid penalties associated with the Governmen
9	Pension Offset and Windfall Elimination Program.
10	BE IT FURTHER RESOLVED that the committees are requested to solicit testimony
11	from the attorney general of Louisiana, the state and statewide retirement systems, members
12	of Louisiana's congressional delegation, and others.

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)]

HCR 69 Engrossed

2023 Regular Session

Mike Johnson

Requests the legislative committees on retirement to study and make recommendations on benefit options for future employees of the state of La. to avoid social security penalties under the Government Pension Offset and Windfall Elimination Program.