

2024 Regular Session

SENATE BILL NO. 478

BY SENATOR BOUDREAUX

LOCAL RETIREMENT. Provides for Lafayette Consolidated Government Employees.(8/1/24)

1 AN ACT

2 To amend and reenact the introductory paragraph of R.S. 11:1733(A) and 1733(C)(1), (D),

3 (E), and (F)(3) and to enact R.S. 11:1753(C)(3), relative to coverage of employees

4 of incorporated cities, towns, villages, and tax boards or commissions; to provide for

5 funding including contributions and other employer payments; to provide for

6 Lafayette Consolidated Government Employees; to provide for an effective date; and

7 to provide for related matters.

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

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. The introductory paragraph of R.S. 11:1733(A) and 1733(C)(1), (D), (E),

11 and (F)(3) are hereby amended and reenacted and R.S. 11:1753(C)(3) is hereby enacted to

12 read as follows:

13 §1733. Agreement for coverage of employees of incorporated cities, towns, villages

14 and tax boards or commissions

15 A. Each incorporated city, town, or village or tax board or commission of a

16 municipality or parish is hereby authorized to submit for board approval an

17 agreement for extending the benefits of this Chapter to its employees. Each ~~such~~

1 agreement or amendment thereof shall be approved by the board if it **finds that the**  
2 **agreement or amendment** is in conformity with the rules of the board, the  
3 requirements of this Chapter, and applicable state laws. Each agreement shall:

4 \* \* \*

5 C.(1) Each employer ~~as to~~ **for** which a plan has been approved under this  
6 Section shall pay into the contribution fund, with respect to earnings, ~~at such time~~  
7 ~~or times as the board may by regulation prescribe~~, contributions in the amounts and  
8 at the rates prescribed by the board as set forth in Parts III and IV of this Chapter **at**  
9 **such time or times as the board may by regulation prescribe.**

10 \* \* \*

11 D. Every employer required to make payments pursuant to Subsection C of  
12 this Section, is authorized, in consideration of the employees' membership service,  
13 to impose upon its employees, as to services which are covered by an agreement, a  
14 contribution with respect to earnings as set forth in Parts III and IV of this Chapter  
15 and to deduct the amount of ~~such~~ **the** contribution from **the** earnings as and when  
16 paid. Contributions ~~so~~ collected shall be paid into the appropriate fund in partial  
17 discharge of the liability of ~~such~~ **the** employer. Failure to deduct ~~such~~ **the**  
18 contribution shall not relieve the employee or employer of liability thereof.

19 E. Delinquent payments due pursuant to Subsection C **or F** of this Section,  
20 may, with interest at the system's actuarial valuation rate compounded annually, be  
21 recovered by action in a court of competent jurisdiction against the employer liable  
22 therefor or shall, upon due certification of delinquency and at the request of the  
23 board, be deducted from any other monies payable to ~~such~~ **the** employer by any  
24 department or agency of the state.

25 F. \* \* \*

26 (3) The amount due shall be determined by the actuary employed by the  
27 system using the entry age normal funding method and shall ~~either~~ be paid **either** in  
28 a lump sum or amortized over ten years in equal monthly payments with interest at  
29 the system's actuarial valuation rate in the same manner as regular payroll payments

1 to the system, at the option of the employer.

2 \* \* \*

3 §1753. Membership of employees after consolidation; Terrebonne Parish; Lafayette

4 Parish

5 \* \* \*

6 C. \* \* \*

7 **(3) Notwithstanding any other provisions in this Chapter, Lafayette City-**  
8 **Parish Consolidated Government may elect a twenty-year amortization period**  
9 **which shall be retroactive to November 1, 2020, and any payments previously**  
10 **made based on the ten-year amortization shall be re-calculated and credited to**  
11 **future payments.**

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Alana M. Perrin.

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DIGEST

SB 478 Original

2024 Regular Session

Boudreaux

Present law provides that certain employees of the Lafayette Consolidated Government, employees of a department created by the Lafayette home rule charter, who were first employed on or after Nov. 1, 2010, become a member of MERS. Applicable to the same departments of Lafayette government, those hired on or after Nov. 1, 2020, become members of PERS instead of MERS. Proposed law retains present law but provides for technical updates.

Present law provides for a maximum amortization payment period of 10 years.

Proposed law retains present law but provides the exception for Lafayette Consolidated Government to elect to reamortize over a period not to exceed 20 years instead and further provides that should Lafayette City-Parish Consolidated Government make such an election, the amortization period shall be retroactive to Nov. 1, 2020.

Effective August 1, 2024.

(Amends R.S. 11:1733(A)(intro para), (C)(1), (D), (E), and (F)(3); adds R.S. 11:1753(C)(3))