

GREEN SHEET REDIGEST

HB 15

2024 Regular Session

Fontenot

**RETIREMENT/MUNICIPAL POL: Provides for the reemployment of retired police officers of the Municipal Police Employees' Retirement System.**

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DIGEST

Present law provides that various classes of employees are members of the retirement system. Provides that a person who is not a police officer but who is employed on a full-time basis by a police department and under the direction of a chief of police is an "employee". Proposed law provides that a person who was employed in such a position and a member of another municipal retirement system on June 30, 2024, is not an "employee".

Proposed law provides for the definition of "employee" within the Baton Rouge Police Dept. Provides the definition of "law enforcement employee" to mean any person occupying a position within a class title that was included in the membership of the system on the effective date of the merger between the City-Parish Employees' Retirement System and MPERS.

Proposed law provides that a member of MPERS who is elected to a position and becomes eligible to join another retirement system may terminate his membership in MPERS upon enrollment in the other retirement system. Requires the member to file a notice with the board of trustees and that employee and employer contributions to the system cease upon receipt of notice. Provides that the former member may apply for retirement from MPERS after termination in the system.

Present law provides for the eligibility for retirement for members within MPERS.

Present law requires suspension of the retirement benefit of an MPERS retiree who returns to employment in a position covered by MPERS and provides that such a reemployed retiree earns additional service credit during reemployment. Exempts certain retirees who are reemployed in part-time positions.

Proposed law provides that the benefit of a member who retires between July 1, 2024, and June 30, 2026, is not suspended if he irrevocably elects to earn no additional service credit or accrue any additional retirement benefit.

Proposed law provides that the retirement of a retiree who retired on or before January 1, 2024, and who, before July 1, 2028, becomes an employee 90 days after retirement shall not be suspended if the retiree retired with 25 years of service credit or retired with 20 or more years of service credit and has attained the age of 55.

Proposed law for both groups of retirees exempt from benefit suspension, provides the employee and employer pay contributions to the system during the reemployment period. Provides the employee, upon application, can be refunded their contribution without interest. Provides MPERS retains the employer contributions paid during the reemployment period.

Proposed law provides a member may retire if he meets the following:

- (1) He attained age 62.
- (2) He has seven years or more of service credit.
- (3) He is not eligible to retire under present law but is an elected a chief of police subject to term limits.

Proposed law requires the member to submit sufficient documentation to the board of trustees and irrevocably elect to receive no additional service credit or accrue any additional

retirement benefit. Provides that during reemployment employee and employer contributions are paid to the system. Provides that upon termination of reemployment, employee contributions are refunded to the member without interest and employer contribution are retained by the retirement system.

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

(Amends R.S. 11:2213(11)(a)(iii) and 2220(A)(2)(a); adds R.S. 11:2213(11)(i) and (j), 2214.1, 2220(A)(4), and 2241.4(A)(4))

#### Summary of Amendments Adopted by House

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

1. Provisions regarding the definition of "employee" that are applicable to the Baton Rouge Police Dept. and to a person who was in another retirement system on March 5, 2023.
2. Provisions for termination of membership by an elected official who is eligible for membership in another retirement system.
3. Provisions regarding suspension of benefits for a reemployed retiree who retires between July 1, 2024, and June 30, 2026, and for retirees who retire with 25 years of service credit.
4. Provisions regarding retirement eligibility of certain police chiefs subject to term limits.

#### Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Retirement to the reengrossed bill

1. Provides that the definition of "employee" shall include any person employed full-time by a police department of any municipality, who is under the direction of the chief of police, and who does not meet any other definition of employee.
2. Provides that a person who is not a full-time police officer but who is employed on a full-time basis by a police department and under the direction of a chief of police and is a member of another municipal retirement system on June 30, 2024, is not an "employee".
3. The retirement benefit of a retiree who retired on or before Jan. 1, 2024, and who, before July 1, 2027, becomes an employee, no sooner than 90 days after the effective date of his retirement shall not be suspended if the retiree retired with 25 years of service credit or retired with 20 or more years of service credit and has attained the age of 55.
4. Provides for an effective date.