

2025 Regular Session

SENATE BILL NO. 6

BY SENATOR ABRAHAM

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

RETIREMENT BENEFITS. Establishes an exception to suspension of retirement benefits for court reporters who are reemployed by judicial districts or parishes where a critical shortage exists. (gov sig)

AN ACT

To enact R.S. 11:1928.1, relative to reemployment of court reporters in the Parochial Employees' Retirement System; to provide with respect to contributions to the retirement system during the period of reemployment; to provide relative to disability retirees; to provide with respect to a critical shortage of skilled employees; to provide for an effective date; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 11:1928.1 is hereby enacted to read as follows:

§1928.1. Employment of retired court reporters

A.(1) After the three-year period immediately following the effective date of his retirement, any retiree age sixty-five or older of this system who has been retired from service as a court reporter and who returns full-time to active service as a court reporter covered by the provisions of this Chapter shall not have his benefit suspended for the duration of his period of reemployment in such position.

(2) No member of this system who retires based on a disability shall

1 return to service pursuant to the provisions of this Section. Disability retirees
2 shall be governed by the provisions of this Chapter applicable to disability
3 retirees.

4 B.(1) When any retired court reporter returns to active service pursuant
5 to this Section with an employer covered by the provisions of this Chapter, the
6 employing agency shall notify the board of trustees in writing within ten days
7 of the employment and the date on which employment began. Upon termination
8 of the reemployment, the employing agency shall also provide the board with
9 information and notice thereof in writing. In addition to the notice required by
10 this Subsection, the employing agency shall also report to the retirement system
11 within forty-five days after June thirtieth of each year the names of all retired
12 persons being paid by the employing agency, their social security numbers, and
13 the amounts of their earnings during the previous fiscal year ending June
14 thirtieth of the reporting year.

15 (2) Any employer who elects to reemploy a retired court reporter
16 pursuant to this Section shall submit to the system before September fifteenth
17 of each year of reemployment a declaration stating the employer's intent to
18 reemploy the court reporter pursuant to this Section. The declaration shall be
19 signed by the employer's authorized representative and the employee. If the
20 declaration is not received by the system by such date, the reemployed court
21 reporter shall be considered reemployed pursuant to the provisions of R.S.
22 11:1928.

23 (3) The chief judge of the employer shall certify to the retirement system
24 that a critical shortage of qualified court reporters exists. Prior to making the
25 certification for any full-time critical shortage position, the employer shall cause
26 to be advertised for thirty days in the official journal of the employer's
27 governing authority, notice that a critical shortage of skilled court reporters
28 exists and the positions sought to be filled and that no person applied.
29 Additionally, the employer shall cause notice to be posted at the career

development office, or such similar entity, of the regional office of the Louisiana Workforce Commission.

C. The provisions of R.S. 11:1928 shall not be applicable to any retiree reemployed pursuant to this Section.

D. Any employer who participates in the reemployment of any retired court reporter pursuant to this Section shall pay the employer contribution to the retirement system as provided by this Chapter.

Section 2. This Act shall take effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become 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 Senate Legislative Services. The keyword, summary, 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)].

DIGEST

SB 6 Engrossed

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Abraham

Present law, (R.S. 11:1928) applicable to the Parochial Employees' Retirement System (PERS), provides that any person who has retired under the provisions of present law may be temporarily employed by an employer participating in the plan, subject to certain limitations. If a retiree is under age 65 or has not been retired at least three years, he may be employed no more than 480 hours in a calendar year. If a retiree is age 65 or older and has been retired at least three years, he may be employed no more than 1,040 hours in a calendar year. However, if the retiree is employed longer than the maximum hours stated above, his retirement benefit will be reduced by the amount earned after the allowed number of hours.

Present law provides that if the retired member, who is otherwise eligible, becomes permanently employed by an employer participating in PERS, the retired member and the employer shall immediately notify the board of the retiree's date of employment, the amount of his monthly salary, any changes in salary, number of hours employed per week, estimated duration of employment, and date of termination of employment.

Present law provides that at the time the retired member returns to permanent employment, the benefit of the retiree shall be suspended, and he shall be considered as returning to active service and employee and employer contributions shall resume.

Proposed law retains present law.

Proposed law provides that a retired court reporter age 65 or older may be reemployed as a full-time court reporter in a position covered by PERS, without a suspension of benefits, subject to a three-year waiting period which commences immediately following a member's effective date of retirement if a critical shortage of court reporters exist.

Proposed law requires employers who hire retirees to notify the board of the reemployment within 10 days, to notify the board of their termination, and to notify the system annually of all such persons on their payrolls.

Proposed law requires the chief judge of an employer to certify that a critical shortage exists and the employer to advertise notice of a critical shortage of skilled court reporters and positions sought to be filled for thirty days in the official journal. Proposed law further requires posting of a notice at the regional career development office.

Proposed law requires a participating employer to pay the employer contribution as provided for in present law.

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

(Adds R.S. 11:1928.1)

Summary of Amendments Adopted by Senate

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

1. Specifies that a chief judge shall certify the existence of a critical shortage.
2. Adds that the employer shall advertise notice of a critical shortage at the regional career development office.
3. Provides for employer contributions.