

2026 Regular Session

SENATE BILL NO. 416

BY SENATOR PRICE

STATE EMPLOYEE RET. Provides relative to reemployment of retirees to fill critical shortage positions within the Department of Public Safety and Corrections, corrections services. (2/3-CA10s(29)(F)) (8/1/26)

1 AN ACT

2 To amend and reenact R.S. 11:149(B) and to enact R.S. 11:416(A)(4), relative to the
3 Louisiana State Employees' Retirement System; to provide relative to the
4 reemployment of retirees to fill certain shortages within the Department of Public
5 Safety and Corrections, corrections services; to provide for qualifications; to provide
6 for definitions; to provide for advertisement requirements; to provide for benefits;
7 to provide for contributions; and 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. R.S. 11:149(B) is hereby amended and reenacted and R.S. 11:416(A)(4)
11 is hereby enacted to read as follows:

12 §149. Reemployment of retirees

13 * * *

14 B. Any person who retires under any early retirement incentive plan of the
15 state of Louisiana for state employees shall not be reemployed by any department of
16 state government for two years after the effective date of their retirement. The
17 provisions of this Subsection shall not apply to seasonal fire fighting personnel

1 employed by the office of forestry in the Department of Agriculture and Forestry,
 2 ~~and~~ election-related personnel in the Department of State, **or rehired employees**
 3 **who fill critical shortage positions within the Department of Public Safety and**
 4 **Corrections, corrections services.** Reemployment of election personnel shall not
 5 exceed six weeks prior to an election and two weeks following an election.

6 * * *

7 §416. Employment of retirees

8 A. Regardless of age, if a retiree of the system is engaged or hereafter
 9 engages in employment which otherwise would render him eligible for membership
 10 in the system, he shall choose one of the following irrevocable options:

11 * * *

12 **(4) Option 4. Notwithstanding any other provision of this Section or any**
 13 **other law to the contrary, any retiree of the system, who has been retired for at**
 14 **least one year from the effective date of his retirement, may be reemployed to**
 15 **fill certain critical shortage positions within the Department of Public Safety**
 16 **and Corrections, corrections services, subject to all of the following:**

17 **(a) For the purposes of this Subsection, a "critical shortage position" is**
 18 **defined as a full-time position for which the Department of Public Safety and**
 19 **Corrections, corrections services, has advertised in accordance with Louisiana**
 20 **civil service rules and has received an insufficient number of suitable applicants.**
 21 **The secretary shall determine candidate suitability based on operational needs**
 22 **and institutional requirements. Critical shortage positions shall include but are**
 23 **not limited to the following full-time positions, as certified by the secretary of**
 24 **the Department of Public Safety and Corrections based on fluctuating critical**
 25 **needs:**

26 **(i) Major.**

27 **(ii) Captain.**

28 **(iii) Lieutenant.**

29 **(iv) Specialized sergeant-master.**

1 (v) Cadet, sergeant, or master sergeant.

2 (vi) Registered nurse.

3 (vii) Licensed practical nurse.

4 (viii) Social worker.

5 (b) Prior to the posting of a critical shortage position pursuant to this
6 Paragraph, the secretary of the Department of Public Safety and Corrections,
7 shall certify in writing the need to fill the vacancy.

8 (c) The secretary of the Department of Public Safety and Corrections
9 shall annually review and certify in writing the continued necessity of filling the
10 critical shortage position or the continued reemployment of the retiree in the
11 position.

12 (d) A retiree reemployed in a critical shortage position pursuant to this
13 Subsection shall be entitled to receive his full retirement benefits during the
14 period of reemployment.

15 (e) During the period of reemployment in a critical shortage position,
16 both the reemployed retiree and the Department of Public Safety and
17 Corrections, corrections services, shall make contributions to the retirement
18 system as required by the system. However, the reemployed retiree shall not
19 earn additional service credit or accrue any additional retirement benefits.
20 Upon termination of reemployment, the retiree shall be refunded the employee
21 contributions made during the period of reemployment, without interest.
22 Employer contributions made during this period shall be retained by the
23 retirement system.

24 (f) No member of this system who retires based on a disability shall
25 return to service pursuant to the provisions of this Paragraph. Disability
26 retirees shall be governed by the provisions of this Chapter applicable to
27 disability retirees.

28 * * *

29 Section 2. The cost of this Act, if any, shall be funded with additional employer

1 contributions in compliance with Article X, Section 29(F) of the Constitution of Louisiana.

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 416 Engrossed

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Price

Present law provides that a retiree who chose to retire under an early retirement incentive plan of the state of La. is not eligible for reemployment by any department of state government for two years except if they are reemployed as a seasonal firefighter by the office of forestry in the Dept. of Agriculture and Forestry or election-related personnel in the Dept. of State. Proposed law retains present law.

Proposed law adds critical shortage positions within the Dept. of Public Safety and Corrections, corrections services to the two-year exception.

Present law (R.S. 11:416), relative to the La. State Employees' Retirement System, provides for reemployment of retirees including options among which a reemployed retiree shall make an irrevocable selection upon being reemployed. Proposed law retains present law.

Proposed law creates an additional option which would allow a retiree who has been retired for at least one year to be reemployed in a critical shortage position within the Dept. of Public Safety and Corrections, corrections services and receive his full retirement benefit during reemployment.

Proposed law provides that a "critical shortage position" is defined as a full-time position that has been advertised per rules of civil service but received an insufficient number of suitable applicants. These positions, certified by the secretary, include majors, captains, lieutenants, various sergeant levels, cadets, registered nurses, licensed practical nurses, and social workers. The secretary shall determine applicant suitability.

Proposed law provides that a retiree under this option is entitled to receive his full retirement benefit while reemployed. Both the retiree and the department must make contributions to the retirement system as required. The retiree does not earn additional service credit. Upon termination of employment, the retiree is refunded their contribution without interest, while the retirement system retains the employer contribution.

Proposed law provides that a member that retired based on a disability is prohibited from returning to service under proposed law and remains governed by present law regarding disability retirees.

(Amends R.S. 11:149(B); adds R.S. 11:416(A)(4))

Summary of Amendments Adopted by Senate

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

1. Provide for the suitability of an applicant.