

Regular Session, 2013

HOUSE BILL NO. 36

BY REPRESENTATIVE DANAHAAY

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

RETIREMENT/SHERIFFS FUND: Provides relative to the transfer of service credit into the Sheriffs' Pension and Relief Fund

1 AN ACT

2 To amend and reenact R.S. 11:2174.2, relative to the Sheriffs' Pension and Relief Fund; to
3 provide relative to the transfer of service credit into the system; and to provide for
4 related matters.

5 Notice of intention to introduce this Act has been published
6 as provided by Article X, Section 29(C) of the Constitution
7 of Louisiana.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 11:2174.2 is hereby amended and reenacted to read as follows:

10 §2174.2. Transfer of service credit; purchase of accrual rate

11 ~~Any~~ Notwithstanding any provision of R.S. 11:143 to the contrary, any
12 member who has been an active member of this system for at least one year and who
13 has service credit in another Louisiana public retirement system may elect to transfer
14 all such service credit to this fund. Notwithstanding any other provision of law to
15 the contrary, including the provisions of R.S. 11:143(D)(4), the member may elect
16 to purchase the accrual rate of this fund applicable to the member on the date of such
17 purchase for the purpose of applying the fund's accrual rate to such other service
18 credit by paying the amount established in accordance with R.S. 11:158(C). If, after
19 such purchase, the member attains eligibility for an accrual rate higher than the rate
20 previously purchased, the member may elect to execute an additional purchase for

1 the purpose of applying the higher rate to the transferred service credit by paying the
2 amount established in accordance with R.S. 11:158(C).

3 Section 2. This Act shall become effective on July 1, 2013; if vetoed by the governor
4 and subsequently approved by the legislature, this Act shall become effective on July 1,
5 2013, or on the day following such approval by the legislature, whichever is later.

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)]

Danahay

HB No. 36

Abstract: Requires at least one year of membership in the Sheriffs' Pension and Relief Fund before a member is eligible to transfer prior service into the fund.

Present law provides a mechanism by which active members of public retirement funds may transfer prior service credit from public retirement systems or funds they belonged to in the past into their current retirement system or fund. Present law requires the member wishing to transfer service from his past system(s) to his present system to have been an active member of his present system for at least six months. Proposed law retains present law for every system except the Sheriffs' Pension and Relief Fund. Proposed law changes the active membership requirement for transfers of credit to the Sheriffs' Pension and Relief Fund from six months to one year.

Present law authorizes members of the Sheriffs' Pension and Relief Fund who transfer service credit into the system to elect to upgrade the transferred service credit to the accrual rate of the Sheriffs' system. The cost of this upgrade is to be calculated pursuant to present law and is to be paid by the member. Proposed law retains present law.

Present law further provides a mechanism by which active members of public retirement funds may reverse transfer service credit earned in their current system into the system they last contributed to. Present law requires the member wishing to transfer service from his current system to the system to which he last contributed to have been an active member of his current system for at least six months before he may initiate such a transfer. Proposed law retains present law for all systems, including the Sheriffs' Pension and Relief Fund.

Effective July 1, 2013.

(Amends R.S. 11:2174.2)