

2016 Regular Session

HOUSE BILL NO. 38

BY REPRESENTATIVE MONTOUCET

RETIREMENT/FIREFIGHTERS: Provides relative to reenrollment in the Firefighters' Retirement System by employees covered by Social Security

1 AN ACT

2 To amend and reenact R.S. 11:157(A) and (C), relative to membership in the Firefighters'
3 Retirement System; to provide relative to reenrollment in the system by employees
4 covered by Social Security; and to provide for 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. 11:157(A) and (C) are hereby amended and reenacted to read as
10 follows:

11 §157. Firefighters' Retirement System; Municipal Police Employees' Retirement
12 System; optional membership; refund of employee contributions; irrevocable
13 election; reenrollment

14 A. Notwithstanding any other provision of law to the contrary, any
15 employee; as defined in R.S. ~~11:2252(9)~~ or R.S. ~~11:2213(11)~~, 11:2213 or 2252 who
16 is employed by any municipality, parish, or fire protection district of this state which
17 has its employees covered under the federal Social Security program and which has
18 not previously and specifically excluded its police officers or firefighters from
19 coverage under this federal program, may elect not to be or elect not to become a
20 member of either ~~state~~ retirement system. Any member of either ~~state~~ retirement

Present law authorizes an employee who would otherwise be in FRS or the Municipal Police Employees' Retirement System (MPERS) and who is employed by a municipality, parish, or fire protection district that has its police officers or firefighters covered by Social Security, to decide not to be a member of the appropriate retirement system. Requires that employee contributions to the retirement system be refunded without interest to an employee who decides not to be a member.

Proposed law retains present law.

Present law provides that an employee who decided not to be a member of MPERS is not eligible to rejoin MPERS while he is employed by the same municipality unless he repays his previously refunded employee contributions plus interest at the board-approved actuarial valuation rate. Present law makes no provision for an employee who wishes to rejoin FRS. Proposed law provides for rejoining FRS subject to the same requirements as apply to MPERS.

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

(Amends R.S. 11:157(A) and (C))