
DIGEST

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HB 36 Original

2020 Second Extraordinary Session

Bacala

Abstract: Authorizes reemployment of retirees from the four state retirement systems, during a declared state of emergency, without suspension or reduction of retirement benefits.

Present law provides restrictions and limitations on the reemployment of a retiree from any of the four La. state retirement systems if such reemployment is covered by the same system as follows:

- (1) La. State Employees' Retirement System: Present law provides a reemployed retiree with three options: to have his retirement benefit reduced if his employment earnings exceed a specified amount, to return all received benefits and to become an active member of the retirement system, or to have his benefit suspended during such reemployment.
- (2) Teachers' Retirement System of La.: Present law provides a reemployed retiree with two options: to have his retirement benefit reduced if his employment earnings exceed a specified amount or to have his benefit suspended during such reemployment. Present law provides for other options and circumstances for a retiree who was reemployed prior to July 1, 2020.
- (3) La. School Employees' Retirement System: Present law prohibits reemployment of a retiree for five years after retirement.
- (4) State Police Pension and Retirement System: Present law provides for suspension of the retirement benefit if employment earnings exceed a specified amount.

Proposed law provides exceptions to present law for all four systems. Authorizes reemployment without any effect on retirement benefits if both of the following conditions apply to the reemployment:

- (1) The reemployment occurs during a state of emergency declared by the governor.
- (2) The employer certifies in writing to the retirement system that employment of the retiree is critical to the effectiveness of the employer's response to the emergency.

Proposed law provides that employee and employer contributions are not made to the retirement systems and service credit is not earned during such reemployment.

Present law prohibits reemployment, by any department of state government, of a state retiree who

retired under an early retirement incentive plan for two years after the effective date of his retirement. Proposed law provides an exception to present law if the same two conditions (described above) apply to the reemployment.

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

(Amends R.S. 11:149(B); Adds R.S. 11:416.2, 710.2, 1141.1, and 1311.1)