

Regular Session, 2006

HOUSE BILL NO. 178

BY REPRESENTATIVE SCHNEIDER AND SENATORS BARHAM, BOASSO, B.  
GAUTREAUX, AND SHEPHERD

1 AN ACT

2 To amend and reenact R.S. 11:323(A), (B), and (D), relative to provisions affecting more  
3 than one retirement system; to provide with respect to participation in the Deferred  
4 Retirement Option Plan of certain retirement systems by certain persons; to allow  
5 certain terminated members to adjust the periods applicable to their participation in  
6 the plan under certain circumstances; to provide for participation in the plan upon  
7 reemployment; to provide for an effective date; and to provide for related matters.

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

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 11:323(A), (B), and (D) are hereby amended and reenacted to read  
13 as follows:

14 §323. Deferred Retirement Option Plan participation; ~~public school system~~  
15 ~~employees~~ members terminated due to hurricanes

16 A. The provisions of this Section shall apply to the following state and  
17 statewide retirement systems:

18 (1) The Louisiana School Employees' Retirement System, and

19 (2) The Teachers' Retirement System of Louisiana, and

20 (3) The Louisiana State Employees' Retirement System, and

21 (4) The Assessors' Retirement Fund, and

22 (5) The Clerks' of Court Retirement and Relief Fund, and

- 1                   (6) The District Attorneys' Retirement System, and
- 2                   (7) The Municipal Employees' Retirement System of Louisiana, and
- 3                   (8) The Parochial Employees' Retirement System of Louisiana, and
- 4                   (9) The Registrars of Voters Employees' Retirement System, and
- 5                   (10) The Municipal Police Employees' Retirement System, and
- 6                   (11) The Firefighters' Retirement System.

7                   B. Notwithstanding any provision of law to the contrary, any employee of  
8 a city, parish, or other public elementary and secondary school system or of a public  
9 postsecondary education institution or system who is a member of a retirement  
10 system to which this Section applies, who has not retired, whose participation in the  
11 Deferred Retirement Option Plan of that system was interrupted or ceased upon his  
12 being terminated due to a reduction-in-force necessitated by Hurricane Katrina or  
13 Hurricane Rita or both, shall have the time period applicable to his plan participation  
14 adjusted upon his reemployment as an employee of a city, parish, or other public  
15 elementary and secondary school system or of a public postsecondary education  
16 institution or system and resumption of active membership in the retirement system  
17 to which he belonged before being terminated. The time period applicable to his  
18 plan participation shall be calculated as provided in this Section. However, in no  
19 case shall this Section be applicable to anyone who becomes reemployed more than  
20 one year after being furloughed or terminated, whichever occurs first, or to anyone  
21 reemployed on or after December 31, 2006.

22   \*       \*       \*

23                   D. The provisions of this Section shall supersede any provision of law to the  
24 contrary, including but not limited to R.S. 11:447(C), 786(B), and 1152(C), 1456(C)  
25 and (D), 1530(C) and (D), 1639(B), 1763(C) and (D), 1938(C) and (D), 2144(C) and  
26 (D), 2221(C) and (D), and 2257(C) and (D), to the extent there is any conflict.

1           Section 2. This Act shall become effective upon signature by the governor or, if not  
2 signed by the governor, upon expiration of the time for bills to become law without signature  
3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
4 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
5 effective on the day following such approval.

---

SPEAKER OF THE HOUSE OF REPRESENTATIVES

---

PRESIDENT OF THE SENATE

---

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_