

2017 Regular Session

HOUSE BILL NO. 36

BY REPRESENTATIVE JONES

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

RETIREMENT/MUNICIPAL EMP: Provides relative to the reemployment of retirees of the Municipal Employees' Retirement System of La.

1 AN ACT

2 To amend and reenact R.S. 11:1762(A)(2), relative to the reemployment of retirees of the
3 Municipal Employees' Retirement System of Louisiana in elected positions; to
4 provide for retirees who are elected to office to return to work without benefit
5 reduction; to provide for membership in the system; and to provide for related
6 matters.

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

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 11:1762(A)(2) is hereby amended and reenacted to read as follows:

12 §1762. Reemployment of retirees

13 A.

14 * * *

15 (2)(a) Whenever a retiree receiving normal retirement benefits becomes
16 reemployed by an employer such that his monthly earnings exceed the difference
17 between his monthly average final compensation and his monthly retirement benefit,
18 his retirement benefits shall be reduced by the amount his monthly earnings exceed
19 the difference between his monthly average final compensation and his monthly

1 retirement benefit for every month of such employment and he shall not be a member
2 of the system.

3 (b) Notwithstanding Subparagraph (a) of this Paragraph, if a retiree receiving
4 normal retirement benefits is elected to office and, as a condition of filling the
5 elected position, becomes reemployed by an employer, his retirement benefits shall
6 continue, and he shall not be a member of the system.

7 * * *

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)]

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Abstract: Allows retired members of the Municipal Employees' Retirement System (MERS) to return to work in elected positions without limitation on retirement earnings.

Present law provides that when a retired member of MERS receiving normal retirement benefits becomes reemployed by a covered employer, his monthly retirement benefit and monthly earnings (collective monthly benefit) shall not exceed his monthly average compensation prior to retirement. If they do, present law requires that his retirement benefit be reduced as necessary to make his collective monthly benefit equal his monthly average final compensation. Present law further provides that reemployed retirees shall not become members of the system.

Proposed law provides that if a retired member receiving normal retirement benefits becomes reemployed in an elected position, his retirement benefit shall not be reduced, regardless of the amount of his monthly earnings during his time as an elected official. Proposed law further provides that such retirees shall not become members of the system. Proposed law otherwise retains present law.

(Amends R.S. 11:1762(A)(2))