

Regular Session, 2009

HOUSE BILL NO. 649

BY REPRESENTATIVES MONTOUCET, BOBBY BADON, BARRAS, DOERGE,
GALLOT, GISCLAIR, LAFONTA, MILLS, AND RICHARD AND SENATORS
B. GAUTREAUX, DUPRE, HEBERT, AND MURRAY

RETIREMENT/STATE EMPS: Authorizes a fee to be collected by DPS&C and creates the
Adult Probation and Parole Officer Retirement Fund into which such fees shall be
deposited

1 AN ACT

2 To enact R.S. 11:546 and R.S. 15:574.4.2, relative to the Louisiana State Employees'
3 Retirement System; to provide for a probation and parole processing fee; to create
4 a fund for the deposit of funds generated by such fees; to provide for an effective
5 date; and to provide for related matters.

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

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 11:546 is hereby enacted to read as follows:

11 §546. Adult Probation and Parole Officer Retirement Fund

12 A. There is hereby established in the state treasury a special fund to be
13 known as the Adult Probation and Parole Officer Retirement Fund, hereafter in this
14 Section, the "fund".

15 B. Beginning with the 2009-2010 Fiscal Year and for each fiscal year
16 thereafter, and after allocation of money to the Bond Security and Redemption Fund
17 as provided in Article VII, Section 9(B) of the Constitution of Louisiana, the

1 treasurer shall deposit in and credit to the fund on a monthly basis an amount equal
2 to the sum collected for the processing fee charged pursuant to R.S. 15:574.4.2.

3 C. Monies in the fund shall be invested in the same manner as the state
4 general fund monies. Interest earned on the investment of monies in the fund, after
5 being credited to the Bond Security and Redemption Fund pursuant to Article VII,
6 Section 9(B) of the Constitution of Louisiana, shall be credited to the fund. All
7 unexpended and unencumbered monies and earnings remaining in the fund at the end
8 of the fiscal year shall remain in the fund, until the legislature provides for enhanced
9 benefits for probation and parole officers in the office of adult services of the
10 Department of Public Safety and Corrections who have service credit in the primary
11 component of the system. If the legislature does not provide for such benefit
12 enhancements by June 30, 2015, all monies in the fund shall be available to the
13 Department of Public Safety and Corrections to help defray the costs of supervision
14 of persons on probation or parole.

15 Section 2. R.S. 15:574.4.2 is hereby enacted to read as follows:

16 §574.4.2. Probation and parole processing fee

17 A. A one-time fee of sixty-five dollars shall be assessed for each case file
18 existing on June 30, 2009, and for each new case file opened thereafter by a
19 probation and parole officer of the office of adult services in the Department of
20 Public Safety and Corrections. Such fee shall be collected at the offender's first
21 meeting with any such officer after June 30, 2009, or, if provided for by rule
22 promulgated by the department, over a time period not to exceed twelve months after
23 the first meeting.

24 B. All fees collected pursuant to this Section shall be remitted to the
25 treasurer's office on a monthly basis.

26 Section 3. This Act shall become effective on July 1, 2009; if vetoed by the governor
27 and subsequently approved by the legislature, this Act shall become effective on July 1,
28 2009, 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)]

Montoucet

HB No. 649

Abstract: Relative to the La. State Employees' Retirement System (LASERS), creates the Adult Probation and Parole Officer Retirement Fund (fund) and provides for a one-time probation and parole processing fee to be deposited in such fund, which monies shall remain in such fund until such time as the legislature provides benefit enhancements for certain probation and parole officers.

Probation and Parole Processing Fee

Proposed law provides for a one-time probation and parole processing fee of \$65. Provides that such fee shall be assessed for each adult probation and parole case file existing on June 30, 2009, and for each new case file after June 30, 2009. Provides that such fee shall be collected at the offender's first meeting with any such officer after June 30, 2009, or, if provided for by rule promulgated by DPS&C, over a time period not to exceed 12 months.

Adult Probation and Parole Officer Retirement Fund

Proposed law creates the "Adult Probation and Parole Officer Retirement Fund" (fund) in the state treasury. Provides that beginning with FY 2009-2010, the treasurer shall deposit in and credit to the fund on a monthly basis an amount equal to the sum collected for the processing fee charged pursuant to proposed law.

Proposed law provides that monies in the fund shall remain in the fund until the legislature provides for enhanced retirement benefits for probation and parole officers in the office of adult services of DPS&C who have service credit in the primary component of the system. If the legislature fails to provide for such enhancements by June 30, 2015, the monies in the fund become available to DPS&C to defray costs of probation and parole supervision.

Effective July 1, 2009.

(Adds R.S. 11:546 and R.S. 15:574.4.2)