

Regular Session, 2014

HOUSE BILL NO. 45

BY REPRESENTATIVE SEABAUGH

RETIREMENT/STATE SYSTEMS: Provides relative to membership in state retirement systems for certain new hires

1 AN ACT

2 To amend and reenact R.S. 11:411(8) and 701(33)(a)(iv), (v)(aa), (vii), and (x), relative to  
3 membership in state retirement systems; to prohibit membership by employees and  
4 officers of certain employers hired on or after a certain date; and to provide for  
5 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. 11:411(8) and 701(33)(a)(iv), (v)(aa), (vii), and (x) are hereby  
11 amended and reenacted to read as follows:

12 §411. Eligibility for membership

13 The membership of this system shall be as follows:

14 \* \* \*

15 (8) Employees of any primary health center established under the Public  
16 Health Service Act as set forth in Subpart ~~F i~~ of Part D of Subchapter II of Chapter  
17 6A of Title 42 of the United States Code, hired by the primary health center prior to  
18 September 1, 2014, provided that any such person ~~covered by this Paragraph~~ who is  
19 eligible for membership in any other state or federal public retirement system based

1 on employment with a primary health center shall not be eligible for membership in  
2 this system.

3 \* \* \*

4 §701. Definitions

5 As used in this Chapter, the following words and phrases have the meanings  
6 ascribed to them in this Section unless a different meaning is plainly required by the  
7 context:

8 \* \* \*

9 (33)(a) "Teacher", except as provided in Subparagraph (b) of this Paragraph,  
10 shall mean any of the following:

11 \* \* \*

12 (iv) The president and staff of the Louisiana Federation of Teachers any of  
13 whom was hired by the federation or elected prior to September 1, 2014, and was a  
14 member ~~who were members~~ of the Teachers' Retirement System prior to such  
15 employment.

16 (v)(aa) The president or secretary and staff of the Louisiana Association of  
17 Educators any of whom was hired by the association or elected prior to September  
18 1, 2014.

19 \* \* \*

20 (vii) The director and staff of the Associated Professional Educators of  
21 Louisiana any of whom was hired by the association prior to September 1, 2014.

22 \* \* \*

23 (x) The director and staff of the Louisiana Resource Center for Educators  
24 any of whom was hired by the center prior to September 1, 2014.

25 \* \* \*

26 Section 2. This Act shall become effective upon signature by the governor or, if not  
27 signed by the governor, upon expiration of the time for bills to become law without signature  
28 by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If

- 1 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
2 effective on the day following such approval.

## 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)]

Seabaugh

HB No. 45

**Abstract:** Prohibits membership in the Louisiana State Employees' Retirement System (LASERS) and the Teachers' Retirement System of Louisiana (TRSL) for new hires of certain private employers. Allows current members of such employers to retain their membership.

## LASERS

Present law (R.S. 11:411(8)) authorizes an employee of a primary health center established under federal law to be a member of LASERS if such employee is not eligible for membership in any other state or federal public retirement system based on his employment with the primary health center. Proposed law provides that employees of such employers hired on or after Sept. 1, 2014, shall not be members of LASERS.

## TRSL

Present law (R.S. 11:701(33)) authorizes the following entities to enroll their employees in TRSL:

- (1) The La. Federation of Teachers (if such employees were previously members of TRSL).
- (2) The La. Assoc. of Educators.
- (3) The Associated Professional Educators of La.
- (4) The La. Resource Center for Educators.

Proposed law provides that employees of such employers hired on or after Sept. 1, 2014, shall not be members of TRSL.

Present law authorizes the La. Federation of Teachers and the La. Assoc. of Educators to each enroll their presidents as members of TRSL. Proposed law provides that such presidents elected on or after Sept. 1, 2014, shall not be members of TRSL by virtue of their position as president.

Present law provides that employees of the La. High School Athletic Assoc. hired on or after July 1, 2011, shall not be members of TRSL. Proposed law retains present law.

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

(Amends R.S. 11:411(8) and 701(33)(a)(iv), (v)(aa), (vii), and (x))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Retirement to the original bill.

1. Adds provision prohibiting new hires on or after Sept. 1, 2014, employed by a primary health center established under the federal Public Health Services Act from being members of LASERS.
2. Adds provision applying proposed law restrictions to officers of the La. Assoc. of Educators and the La. Federation of Teachers who are elected on or after Sept. 1, 2014.