

2015 Regular Session

HOUSE BILL NO. 40

BY REPRESENTATIVE GAINES

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

RETIREMENT CREDIT: Authorizes the purchase of military service credit for vesting purposes in statewide retirement systems

1 AN ACT

2 To enact R.S. 11:153(E)(3), relative to the purchase of credit in certain public retirement
3 systems, plans, or funds, for military service; to authorize an exemption, for
4 members of certain systems, from the minimum number of years required for such
5 purchase; 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. 11:153(E)(3) is hereby enacted to read as follows:

11 §153. Credit for military service

12 * * *

13 E.

14 * * *

15 (3) Notwithstanding any provision of Paragraph (2) of this Subsection to the
16 contrary, any member of a statewide public retirement system may purchase credit
17 for military service regardless of the number of years of service the member has in
18 such system.

19 * * *

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.

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)]

HB 40 Original

2015 Regular Session

Gaines

Abstract: Exempts members of statewide public retirement systems from the present law requirement that a member must have a minimum of 20 years of service credit in the system before he may purchase credit for military service.

Present law (R.S. 11:153) establishes guidelines for members of state and statewide public retirement systems for the purchase of credit for military service.

Present law (R.S. 11:153(E)(1)) generally prohibits military service credit from being used for eligibility for disability or survivor's benefits. Proposed law retains present law.

Present law (R.S. 11:153(E)(2)) provides that in systems which authorize retirement with 20 or more years of service at any age, or 20 or more years of service at age 50, military service credit shall not be computed until after the completion of 20 full years of service. In addition, such military service credit shall not be used to meet the minimum eligibility requirement of any regular retirement of less than 20 years.

Proposed law provides an exception to present law for members of statewide retirement systems. Authorizes purchase of credit for military service at any time, regardless of the number of years of service credit the member has in the system.

The following are considered statewide retirement systems:

- (1) Louisiana Assessors' Retirement Fund
- (2) Clerks of Court Retirement and Relief Fund
- (3) District Attorneys' Retirement System
- (4) Firefighters' Retirement System
- (5) Municipal Employees' Retirement System
- (6) Municipal Police Employees' Retirement System
- (7) Parochial Employees' Retirement System
- (8) Registrars of Voters Employees' Retirement System
- (9) Sheriffs' Pension and Relief Fund

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

(Adds R.S. 11:153(E)(3))