HLS 17RS-443 ORIGINAL

2017 Regular Session

1

HOUSE CONCURRENT RESOLUTION NO. 46

BY REPRESENTATIVE PEARSON

RETIREMENT SYSTEMS: Provides relative to the printing of certain statutes regarding public retirement systems that were unconstitutionally enacted

A CONCURRENT RESOLUTION

2	To authorize and direct the Louisiana State Law Institute to direct the printer of the
3	Louisiana Revised Statutes to stop printing unconstitutional statutory language
4	relative to the cash balance plan for some state retirement systems.
5	WHEREAS, the legislature enacted Act No. 483 of the 2012 Regular Session of the
6	Legislature of Louisiana, creating a cash balance retirement plan; and
7	WHEREAS, Retired State Employees Association v. State, 119 So.3d 568 (La., 2013)
8	affirmed the district court finding that Act No. 483 of the 2012 Regular Session of the
9	Legislature of Louisiana was enacted in violation of La. Const. Art. X, §29(F); and
10	WHEREAS, the printer of the Louisiana Revised Statutes continues to print statutory
11	provisions as enacted by Act No. 483 of the 2012 Regular Session of the Legislature of
12	Louisiana and continues to print headnotes indicating that affected Sections were enacted
13	in violation of La. Const. Art. X, §29(F); and
14	WHEREAS, some affected Sections have been subsequently amended to remove the
15	unconstitutional portions, thus rendering the headnote confusing to a user of the statutes.
16	THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
17	authorize and direct the Louisiana State Law Institute to direct the printer of the Louisiana
18	Revised Statutes to stop printing the language added by Act No. 483 of the 2012 Regular
19	Session of the Legislature of Louisiana to R.S. 11:62 (4)(introductory paragraph),
20	(5)(introductory paragraph), and (11)(introductory paragraph) as follows:

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	La. R.S. 11:62 Employee contribution rates established
2	Employee contributions to state and statewide public retirement systems shall
3	be paid at the following rates, except as otherwise provided by law:
4	* * *
5	(4) Louisiana School Employees' Retirement System members in Tier 1:
6	* * *
7	(5) Louisiana State Employees' Retirement System members in Tier 1:
8	* * *
9	(11) Teachers' Retirement System of Louisiana members in Tier 1:
10	* * *
11	BE IT FURTHER RESOLVED that the Legislature of Louisiana does hereby
12	authorize and direct the Louisiana State Law Institute to direct the printer of the Louisiana
13	Revised Statutes to stop printing, in their entirety, R.S. 11:62(4.1), (5.1), and (11.1) and
14	1399.1 through 1399.7 as enacted by Act No. 483 of the 2012 Regular Session of the
15	Legislature of Louisiana.
16	BE IT FURTHER RESOLVED that the Legislature of Louisiana does hereby urge
17	and request that the printer of the Louisiana Revised Statutes stop printing the headnote
18	regarding Retired State Employees Association v. State, 119 So.3d 568 (La., 2013) that
19	appears at R.S. 11:62, 102, 542, 883.1, and 1145.1.
20	BE IT FURTHER RESOLVED that two suitable copies of this Resolution be
21	transmitted to the Louisiana State Law Institute and that the Louisiana State Law Institute
22	forward a copy of this Resolution to the printer of the Louisiana Revised Statutes.

## 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)]

HCR 46 Original

2017 Regular Session

Pearson

Authorizes and directs the La. State Law Institute to direct the printer of the La. Revised Statutes to stop printing the language added by Act No. 483 of the 2012 R.S., which created a cash balance plan for some La. retirement systems and which the La. Supreme Court held was unconstitutionally enacted. Further requests that the printer stop printing the headnote on sections that no longer include unconstitutionally enacted language.

## Page 2 of 2

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.