

2019 Regular Session

HOUSE BILL NO. 14

BY REPRESENTATIVE CARPENTER

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

RETIREMENT/FIREFIGHTERS: Prohibits certain employees from rejoining the Firefighters' Retirement System and Municipal Police Employees' Retirement System

1 AN ACT

2 To amend and reenact R.S. 11:157(A) and (C) and to enact R.S. 11:157(D), relative to
3 membership in the Firefighters' Retirement System and the Municipal Employees'
4 Retirement System of Louisiana; to provide relative to rejoining the system and the
5 purchase of service credit under certain circumstances; to provide for membership
6 verification; and to provide for related 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. 11:157(A) and (C) are hereby amended and reenacted and R.S.
12 11:157(D) is enacted to read as follows:

13 §157. Firefighters' Retirement System; Municipal Police Employees' Retirement
14 System; optional membership; refund of employee contributions; irrevocable
15 election; reenrollment; membership verification information

16 A. Notwithstanding any other provision of law to the contrary, any employee
17 as defined in R.S. 11:2213 or 2252 who is employed by any ~~municipality, parish, or~~
18 ~~fire protection district of this state~~ employer as defined in R.S. 11:2213 or 2252
19 which has its employees covered under the federal Social Security program and

1 which has not previously and specifically excluded its police officers or firefighters
2 from coverage under this federal program; may elect not to be or elect not to become
3 a member of either retirement system. Any ~~member of either retirement system~~
4 employee who elects not to be a member of the applicable retirement system shall
5 be refunded his employee contributions which have been received by the system,
6 without interest for the period for which he contributed to the system.

7 * * *

8 C.(1) Any ~~member~~ employee who elects not to become a member of ~~either~~
9 the applicable retirement system set forth in Subsection A of this Section shall,
10 before such election can become valid, execute and file with the retirement system
11 an affidavit stating that his election not to be a member is of his own free will and
12 is his own voluntary act and deed.

13 (2) Any ~~member~~ employee who files such an affidavit shall not be eligible
14 to rejoin the system while he is employed by the same ~~municipality, parish, or fire~~
15 ~~protection district unless he repays his previously refunded employee contributions,~~
16 ~~within sixty days of reenrollment in the system, in one lump sum, plus interest at the~~
17 ~~board-approved actuarial valuation rate in effect at the time of such repayment,~~
18 ~~calculated from the date of the refund until the date of repayment.~~ employer or by
19 any other employer whose employees are covered under the federal Social Security
20 program. An employee who returns to work with any other employer whose
21 employees are not covered under the federal Social Security program may not
22 purchase credit for service for the period of time that he elected not to be a member
23 pursuant to Subsection A of this Section.

24 D. The Department of Public Safety and Corrections may provide the
25 Firefighters' Retirement System and the Municipal Employees' Retirement System
26 of Louisiana with the name and social security number of each recipient of state
27 supplemental pay.

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 14 Original

2019 Regular Session

Carpenter

Abstract: Prohibits persons from rejoining the Firefighters' Retirement System (FRS) or the Municipal Police Employees' Retirement System of La. (MPERS) if they opt out of membership in the system.

Present law provides that anyone who is employed by a parish, municipality, or fire protection district whose employees are also covered under the federal Social Security program may opt out of membership in MPERS or FRS as applicable.

Present law requires any member who opts out of membership in the system to file an affidavit with the retirement system.

Proposed law retains present law.

Present law requires a member who wishes to rejoin the system while employed by the same parish, municipality, or fire protection district to repay his refunded employee contributions with interest. Proposed law prohibits a person who opts out of membership in FRS or MPERS from rejoining the system while he is employed by the same employer or any other employer whose employees are covered under the federal Social Security program.

Proposed law further provides that an employee who has opted out of one of the systems and returns to work for an employer whose employees are not covered under the federal Social Security program may join or rejoin the system but may not purchase service credit for the period of time that he opted out of membership.

Proposed law authorizes the Dept. of Public Safety and Corrections to provide FRS and MPERS with the name and social security number of each recipient of state supplemental pay.

(Amends R.S. 11:157(A) and (C); Adds R.S. 11:157(D))