

2019 Regular Session

HOUSE BILL NO. 27

BY REPRESENTATIVE JONES

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

RETIREMENT/MUNICIPAL EMP: Provides relative to elected officials who are members of the Municipal Employees' Retirement System of Louisiana

1 AN ACT

2 To amend and reenact R.S. 11:1762(A)(2) and 1821(G)(3) and (4), relative to elected  
3 officials who are members of the Municipal Employees' Retirement System of  
4 Louisiana; to provide relative to membership of elected officials on the board of  
5 trustees; to provide relative to the reemployment of part-time elected officials; to  
6 provide for calculation of benefits; 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. 11:1762(A)(2) and 1821(G)(3) and (4) are hereby amended and  
12 reenacted to read as follows:

13 §1762. Part-time reemployment of retirees

14 A.

15 \* \* \*

16 (2) Whenever a retiree receiving normal retirement benefits becomes  
17 reemployed by an employer but he does not meet the definition of an employee and  
18 his monthly earnings exceed the difference between his monthly average final  
19 compensation and his monthly retirement benefit, his retirement benefits shall be  
20 reduced by the amount his monthly earnings exceed the difference between his

1 monthly average final compensation and his monthly retirement benefit for every  
2 month of such employment and he shall not be a member of the system. The  
3 calculation of monthly earnings shall not include income attributable to services as  
4 a part-time elected official as defined in R.S. 11:164.

5 \* \* \*

6 §1821. Board of trustees; membership; term of office; oath of office;  
7 compensation; voting power; vacancies

8 \* \* \*

9 G.

10 \* \* \*

11 (3)(a) A trustee elected pursuant to ~~Subparagraph (2)(a) of this Subsection~~  
12 Paragraph (B)(2) of this Section may continue to serve his full term if he remains a  
13 member of the system regardless of change in employment which qualified him for  
14 such position.

15 (b) A trustee elected pursuant to Paragraph (B)(1) of this Section who ceases  
16 to hold the elective office that qualified him to serve on the board is not eligible to  
17 continue serving on the board.

18 (4) A vacancy on the board in a position held by an elected trustee shall be  
19 filled for the unexpired term by election as provided in Paragraph (2) of this  
20 Subsection, except that if the unexpired term is less than two years, the board may  
21 fill the vacancy by appointment for the unexpired portion of the term. ~~If a trustee~~  
22 ~~provided for in Paragraph (B)(1) or (2) of this Section retires, he may continue to~~  
23 ~~serve for the remainder of the term for which he was elected; however, if he ceases~~  
24 ~~to be a member, his term shall expire.~~

25 \* \* \*

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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)]

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HB 27 Original

2019 Regular Session

Jones

**Abstract:** Provides relative to the calculation of monthly earnings of a retiree of the Municipal Employees' Retirement System of La. (MERS) who returns to work and to the eligibility of an elected official to serve as a trustee if he ceases to be an elected official.

Present law provides for a reduction of retirement benefits when a MERS retiree is reemployed part time and his monthly earning exceed the difference between his monthly average final compensation and his monthly retirement benefit.

Proposed law excludes the monthly earnings of certain part-time elected officials from the calculation used to determine any reduction in benefits for part-time work.

Present law provides that the MERS board of trustees includes three elected officials.

Present law provides that an elected official may continue to serve his full term on the board of trustees if he ceases to hold the elective office which qualified him for the position.

Proposed law provides that an elected official who no longer holds the elective office which qualified him for the position may not continue to serve his term as a trustee.

(Amends R.S. 11:1762(A)(2) and 1821(G)(3) and (4))