

2022 Regular Session

HOUSE BILL NO. 959

BY REPRESENTATIVE GEYMANN

SUPPLEMENTAL PAY: Provides relative to the procedures for issuing payment for supplemental pay for municipal or parish fire department employees

1 AN ACT

2 To amend and reenact R.S. 40:1666.3(A), (B), and (C) and 1666.6, relative to supplemental
3 pay for firemen; to provide for the distribution of such supplemental pay; to provide
4 with respect to the powers and duties of the state fire marshal regarding such
5 supplemental pay; to provide with respect to the powers and duties of the
6 Department of Public Safety and Corrections regarding such supplemental pay; to
7 provide with respect to the powers and duties of the Fireman's Supplemental Pay
8 Board; to provide with respect to compensation of members of the Fireman's
9 Supplemental Pay Board; to provide an effective date; and to provide for related
10 matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 40:1666.3(A), (B), and (C) and 1666.6 are hereby amended and
13 reenacted to read as follows:

14 §1666.3. Warrants

15 A. The funds credited and dedicated as herein provided shall be disbursed
16 upon warrants ~~drawn~~ approved and certified by the mayors or parish officials and the
17 fire chiefs of the respective municipalities or parishes coming under the provisions
18 of this Part, which warrants shall have attached to them a detailed list of the names
19 of the employees for whose benefit any particular warrant is drawn, together with the

1 completed years of service of such employees and such other information as the ~~state~~
2 ~~fire marshal~~ Department of Public Safety and Corrections may require.

3 B. The mayors or parish officials of the respective municipalities or parishes
4 shall forward the approved and certified warrants to ~~the secretary of~~ the Department
5 of Public Safety and Corrections and, after obtaining approval of the board as
6 provided in R.S. 40:1666.8 hereof, on the basis of such warrants, ~~the secretary of the~~
7 Department of Public Safety and Corrections shall ~~cause to be prepared and shall~~
8 ~~sign individual checks~~ issue payments representing the amount to be paid out of state
9 funds to each employee in accordance with the provisions of this Subsection. ~~Each~~
10 ~~such check shall show the legislative appropriation from which payment is made and~~
11 ~~shall note that it represents additional compensation paid by the state under the~~
12 ~~provisions of this Part.~~ The secretary shall ~~deliver the checks~~ issue payments to the
13 individual employees in whose favor they are drawn, ~~by mail, or by such other~~
14 means as he shall determine.

15 C. The mayor, fire chief, or other municipal or parish officer of the
16 municipalities or parishes employing persons entitled to additional compensation
17 from the state under the provisions of this Part, who is charged with the
18 responsibility of preparing the pay rolls for such employees, shall include the
19 additional compensation paid by the state to such employees in the calculation and
20 deduction from the pay of such employees of the sums required by state or federal
21 law to be withheld by an employer, such as federal income tax and social security tax
22 or contributions to local retirement systems. Any officials so charged with
23 withholding sums from the pay of the municipal or parish paid fire department
24 employees shall be further charged with the responsibility of transmitting the sums
25 so withheld in accordance with the law or laws requiring the withholding.

26 * * *

27 §1666.6. Compensation; expenses

28 A. The members of the board shall receive per diem in the amount of fifty
29 dollars per day and shall be reimbursed for actual mileage in attending to official

1 business. The per diem and the reimbursement of mileage expenses shall be made
 2 by the ~~state fire marshal~~ Department of Public Safety and Corrections and shall be
 3 payable out of the special fund provided in R.S. 40:1666.2, provided, however, that
 4 no such expense shall be payable unless a residual remains in the special fund after
 5 payment of all amounts due as extra compensation under the provisions of R.S.
 6 40:1666.1.

7 ~~B. The board is authorized and empowered to employ one Accountant I or~~
 8 ~~H whose compensation and benefits shall be in accordance with the rules,~~
 9 ~~regulations, and schedule of the state civil service, to be paid by the state fire marshal~~
 10 ~~out of the special fund provided in R.S. 40:1666.2 upon certification by the chairman~~
 11 ~~of the board of the name of the employee chosen through the usual process of state~~
 12 ~~civil service; however, no such expense shall be incurred or payable unless a residual~~
 13 ~~remains in the special fund after the payment of all amounts due as extra~~
 14 ~~compensation under the provisions of R.S. 40:1666.1. Nothing contained herein~~
 15 ~~shall be interpreted as prohibiting the appointment of those persons currently holding~~
 16 ~~the position of Accountant Clerk I or H for the board from applying for or from being~~
 17 ~~given first option in the appointment to the position of Accountant I or H.~~

18 Section 2. The provisions of this Act shall become effective on July 1, 2022.

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 959 Original

2022 Regular Session

Geymann

Abstract: Modifies the procedures for payment of firemen's state supplemental pay.

Present law establishes eligibility for and mechanisms to pay state supplemental pay to qualifying municipal and parish firemen.

Present law requires the mayor or parish official of the respective municipality or parish to issue a warrant for the monthly payment to qualifying firemen. Proposed law adds fire chiefs as a party who must approve and certify the warrant.

Present law places the state fire marshal in charge of disbursements for fireman supplemental pay. Proposed law changes responsibility for the disbursements to the Department of Public Safety and Corrections (DPSC).

Present law requires the mayors or parish officials of the employing political subdivision to forward the warrant to DPSC. Proposed law requires the mayor or parish official submit the approved and certified warrant to DPSC. Present law requires DPSC to issue and deliver checks to each employee receiving supplemental payment and requires certain statements to be contained on each check. Proposed law authorizes DPSC to issue payment by whatever means and removes the requirement that the payment contain certain statements.

Present law requires the mayor or other municipal or parish officer charged with responsibility for preparing the payrolls of employees to include state supplemental pay into each employees tax withholdings and retirement contributions. Proposed law retains present law and adds the fire chief as a party who may be responsible for such calculations of tax withholdings and retirement contributions.

Present law establishes the Fireman's Supplemental Pay Board and authorizes the state fire marshal to pay \$50 per day per diem to each member attending official business. Proposed law requires DPSC to issue such per diem to members rather than the state fire marshal.

Present law authorizes the board to employ an accountant and sets for the requirements for such position. Proposed law repeals the authority of the board to employ an accountant.

Effective July 1, 2022.

(Amends R.S. 40:1666.3(A), (B), and (C) and 1666.6)