ACT No. 107

HOUSE BILL NO. 47

BY REPRESENTATIVE NELSON AND SENATOR PEACOCK

1	A JOINT RESOLUTION
2	Proposing to amend Article VII, Section 10(D)(2)(b)(ii) and (iii) of the Constitution of
3	Louisiana, to provide relative to payment of certain state retirement system unfunded
4	accrued liability; to provide for the amount of nonrecurring state revenue that is
5	required to be appropriated to such debt; to repeal provisions relative to the amount
6	and distribution of such payments required in prior fiscal years; to provide for
7	submission of the proposed amendment to the electors; and to provide for related
8	matters.
9	Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members
10	elected to each house concurring, that there shall be submitted to the electors of the state of
11	Louisiana, for their approval or rejection in the manner provided by law, a proposal to
12	amend Article VII, Section 10(D)(2)(b)(ii) and (iii) of the Constitution of Louisiana, to read
13	as follows:
14	§10. Expenditure of State Funds
15	Section 10.
16	* * *
17	(D) Appropriations.
18	* * *
19	(2) Except as otherwise provided in this constitution, the appropriation or
20	allocation of any money designated in the official forecast as nonrecurring shall be
21	made only for the following purposes:
22	* * *

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

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1 (b)

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(ii) For Fiscal Years 2013-2014 and 2014-2015 the legislature shall appropriate no less than five percent of any money designated in the official forecast as nonrecurring to the Louisiana State Employees' Retirement System and the Teachers' Retirement System of Louisiana for application to the balance of the unfunded accrued liability of such systems existing as of June 30, 1988, in proportion to the balance of such unfunded accrued liability of each such system. Any such payments to the public retirement systems shall not be used, directly or indirectly, to fund cost-of-living increases for such systems.

(iii) For Fiscal Year 2015-2016 and every fiscal year thereafter through Fiscal Year 2023-2024, the legislature shall appropriate no less than ten percent of any money designated in the official forecast as nonrecurring to the Louisiana State Employees' Retirement System and the Teachers' Retirement System of Louisiana for application to the balance of the unfunded accrued liability of such systems existing as of June 30, 1988, in proportion to the balance of such unfunded accrued liability of each such system. Any such payments to the public retirement systems shall not be used, directly or indirectly, to fund cost-of-living increases for such systems.

(iii) For Fiscal Year 2024-2025 and each fiscal year thereafter, the legislature shall appropriate no less than twenty-five percent of any money designated in the official forecast as nonrecurring to the state retirement systems for application to their unfunded accrued liability. Money appropriated pursuant to this Item shall be applied by the receiving system to its outstanding positive amortization bases in the order in which they were created, from oldest to newest. The legislature may provide by law for a formula to distribute the nonrecurring money between those state retirement systems that have unfunded accrued liability. If the legislature has not provided by law for a distribution formula, nonrecurring money shall be appropriated pursuant to this Item to each system in the proportion that the system's total unfunded accrued liability bears to the total of all state system unfunded

HB NO. 47 **ENROLLED** 1 accrued liability, using the most recent system valuations adopted by the Public 2 Retirement Systems' Actuarial Committee or its successor. Any payment to a state 3 retirement system made pursuant to the provisions of this Item shall not be used, 4 directly or indirectly, to fund cost-of-living increases for such system. 5 6 Section 2. Be it further resolved that this proposed amendment shall be submitted 7 to the electors of the state of Louisiana at the statewide election to be held on October 14, 2023. 8 9 Section 3. Be it further resolved that on the official ballot to be used at the election, 10 there shall be printed a proposition, upon which the electors of the state shall be permitted 11 to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as 12 follows: 13 Do you support an amendment to require that a minimum of twenty-five 14 percent of any money designated as nonrecurring state revenue be applied 15 toward the balance of the unfunded accrued liability of the state retirement 16 systems? (Amends Article VII, Section 10(D)(2)(b)(ii) and (iii))

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE