

1 agreement or amendment thereof shall be approved by the board if it **finds that the**
2 **agreement or amendment** is in conformity with the rules of the board, the
3 requirements of this Chapter, and applicable state laws. Each agreement shall:

4 * * *

5 C.(1) Each employer ~~as to~~ **for** which a plan has been approved under this
6 Section shall pay into the contribution fund, with respect to earnings, ~~at such time~~
7 ~~or times as the board may by regulation prescribe~~, contributions in the amounts and
8 at the rates prescribed by the board as set forth in Parts III and IV of this Chapter **at**
9 **such time or times as the board may by regulation prescribe.**

10 * * *

11 D. Every employer required to make payments pursuant to Subsection C of
12 this Section, is authorized, in consideration of the employees' membership service,
13 to impose upon its employees, as to services which are covered by an agreement, a
14 contribution with respect to earnings as set forth in Parts III and IV of this Chapter
15 and to deduct the amount of ~~such~~ **the** contribution from **the** earnings as and when
16 paid. Contributions ~~so~~ collected shall be paid into the appropriate fund in partial
17 discharge of the liability of ~~such~~ **the** employer. Failure to deduct ~~such~~ **the**
18 contribution shall not relieve the employee or employer of liability thereof.

19 E. Delinquent payments due pursuant to Subsection C **or F** of this Section,
20 may, with interest at the system's actuarial valuation rate compounded annually, be
21 recovered by action in a court of competent jurisdiction against the employer liable
22 therefor or shall, upon due certification of delinquency and at the request of the
23 board, be deducted from any other monies payable to ~~such~~ **the** employer by any
24 department or agency of the state.

25 F. * * *

26 (3) The amount due shall be determined by the actuary employed by the
27 system using the entry age normal funding method and shall ~~either~~ be paid **either** in
28 a lump sum or amortized over ten years in equal monthly payments with interest at
29 the system's actuarial valuation rate in the same manner as regular payroll payments

1 to the system, at the option of the employer.

2 (a) Notwithstanding any other provisions in this Chapter, Lafayette City-
3 Parish Consolidated Government may elect either or both as follows:

4 (i) To have any remaining balance related to a certification performed
5 in accordance with R.S. 11:1733(F)(3) prior to June 30, 2024, be re-amortized
6 over the period beginning July 1, 2024, and ending twenty years from the date
7 from which payments were originally set to commence.

8 (ii) To have any certification performed in accordance with R.S.
9 11:1733(F)(3) on or after July 1, 2024, be amortized over twenty years in equal
10 monthly payments with interest at the system's actuarial valuation interest rate
11 in place at the time the certification is performed, in the same manner as
12 regular payroll payments to the system.

13 * * *

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Alana M. Perrin.

DIGEST

SB 478 Reengrossed 2024 Regular Session Boudreaux

Present law provides that certain employees of the Lafayette Consolidated Government, employees of a department created by the Lafayette home rule charter, who were first employed on or after Nov. 1, 2010, become a member of MERS. Applicable to the same departments of Lafayette government, those hired on or after Nov. 1, 2020, become members of PERS instead of MERS. Proposed law retains present law but provides for technical updates.

Present law provides for a maximum amortization payment period of 10 years.

Proposed law retains present law but provides the exception for Lafayette Consolidated Government to elect to reamortize over a period not to exceed 20 years and further provides that the reamortization period is to be administered as follows:

- (1) Ending 20 years from the date from which payments were originally set to commence, to have any remaining balance determined by the system's actuary prior to June 30, 2024, be reamortized over the period beginning July 1, 2024.
- (2) To have any certification performed by the system's actuary on or after July 1, 2024, be amortized over 20 years in equal monthly payments with interest at the system's actuarial valuation interest rate in place at the time the certification is performed, in the same manner as regular payroll payments to the system.

(Amends R.S. 11:1733(A)(intro para), (C)(1), (D), (E), and (F)(3))

Summary of Amendments Adopted by SenateCommittee Amendments Proposed by Senate Committee on Retirement to the original bill

1. Provides exceptions for Lafayette Consolidated Government payments to be amortized over 20 years.
2. Clarifies that any amount certified as due on or after July 1, 2024, be amortized over 20 years, in equal monthly payments with interest at the system's actuarial valuation interest rate.
3. Clarifies that any remaining balance certified prior to June 30, 2024, be amortized over a period beginning July 1, 2024, ending 20 years from the date payments were originally set to commence.

Senate Floor Amendments to engrossed bill

1. Moves proposed law from section of present law regarding membership of Lafayette Consolidated Government employees to section of present law regarding employer payments.