
DIGEST

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HB 31 Reengrossed

2026 Regular Session

Echols

Abstract: Provides relative to the Municipal Police Employees' Retirement System.

Present law provides that any person who becomes an employee as defined in present law on or after Sept. 9, 1977, is a member of the Municipal Police Employees' Retirement System (MPERS) as a condition of his employment.

Present law provides that an employee, as defined in present law, who is employed with an employer covered by the federal Social Security program may elect to not participate in the retirement system. Provides that the employer must still enroll the employee, and the employee is a member of MPERS until the employee executes and files an affidavit with the retirement system stating his election not to participate. Provides that the election to not participate is irrevocable. Provides that upon election the employee's contributions are refunded without any interest earned.

Proposed law retains present law.

Proposed law authorizes a municipality with a population between 1,950 and 2,950 to terminate participation in MPERS upon adoption of a termination resolution by the municipality's governing authority. Provides that if a municipality elects to not have its police officers enrolled in the Death and Disability Subplan (DDS) created by proposed law, then the municipality has to provide death and disability coverage outside of the retirement system.

Proposed law provides that if a municipality elects to terminate participation in MPERS and elects not to enroll its police officers in the DDS then the municipality is deemed to have fully dissolved its police department in accordance with present law.

Proposed law provides that any municipality that chooses to terminate participation must provide each of the following:

- (1) Written notification to MPERS of termination of participation at least 30 days prior to the effective date of the resolution.
- (2) Written notification of nonparticipation in MPERS to any new employee on or before the date of his hiring.

Proposed law provides that the municipality shall not enroll employees hired on or after the effective date of the termination resolution in MPERS and no employer or employee contributions are to be

paid to MPERS for such employees.

Proposed law provides that employees currently in the retirement system remain members of the system.

Proposed law creates the DDS within MPERS for the purpose of providing disability and survivor benefits for police officers who choose to terminate participation in the defined benefit plan and choose to have their retirement benefit covered under Social Security.

Proposed law provides that the employee participation rate in the DDS is 0%. Provides that the employer participation rate is 5% and the cost of administering the plan. Provides the cost of the DDS shall not exceed five percent.

Proposed law provides, under the DDS, that the board of trustees shall award disability benefits to eligible police officers who have been officially certified as disabled to perform the position held by the police officer at the time in which the disability occurred. Provides that upon application the system shall request from the chief of police the job descriptions of all positions currently in the department paying the same salary.

Proposed law provides that the disability benefit is equal to 2¾% of his average final compensation multiplied by his years of creditable service, but not less than 33% and no more than 55% of his average final compensation.

Proposed law provides that survivor spouse benefits, under the DDS, shall be 100% of the member's average final compensation. Provides that if the police officer has a surviving spouse and children, the benefit paid to the surviving spouse and children shall not exceed 100% of the member's average final compensation.

Proposed law provides that the surviving child or children are paid a benefit equal to 10% of the member's average final compensation if there is a surviving spouse.

Proposed law provides that if there is not a surviving spouse but a surviving child or children, each child is paid a benefit equal to 25% of the member's average final compensation, not to exceed an aggregate of 50% of the average final compensation.

(Amends R.S. 11:103(B)(1) and (E); Adds R.S. 11:62(6)(c), 157.1, 157.2, and 2243.1-2243.4)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Retirement to the original bill:

1. Provide for the creation of a subplan within the retirement system known as "Plan C".
2. Provide that an employer with employees covered under Social Security, by adoption of an ordinance, may opt to have its employees in Plan C or the hazardous duty plan.

3. Provide that the employee contribution for participation in Plan C is 0%.
4. Provide that the employer contribution rate shall not exceed the costs to administer the plan.
5. Provide for disability retirement provided through Plan C upon application and certification of disability.
6. Provide for survivor benefits for officers enrolled in Plan C who die while in active service or a disability retiree who dies as a result of injuries sustained in the line of duty.
7. Change the population requirement for provisions of proposed law relative to termination of participation in the system to between 1,950 and 2,950.

The House Floor Amendments to the engrossed bill:

1. Make technical changes.
2. Change the name of "Plan C" to the "Death and Disability Subplan".
3. Provide that the cost of the Death and Disability Subplan shall not exceed 5%.
4. Require a municipality that terminates participation in the defined benefit plan and the Death and Disability Subplan to have death and disability coverage outside of the retirement system.
5. Provide that if a municipality elects to terminate participation in the retirement system and does not enroll its police officers in the Death and Disability Subplan that it is deemed to have fully dissolved its police department in accordance with present law.