

SENATE BILL NO. 12

BY SENATOR PRICE AND REPRESENTATIVE BACALA

1 AN ACT

2 To amend and reenact R.S. 11:1301, 1305(B), 1307.1(B)(2), 1310(A)(1) and (2)(a), 1333,
3 1334, and 1345.2(1), relative to the Louisiana State Police Retirement System; to
4 provide for relative definitions; to provide for system administration; to provide for
5 an effective date; and to provide for related matters.

6 Notice of intention to introduce this Act has been published.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 11:1301, 1305(B), 1307.1(B)(2), 1310(A)(1) and (2)(a), 1333, 1334,
9 and 1345.2(1) are hereby amended and reenacted to read as follows:

10 §1301. Definitions

11 As used in this Chapter, the following terms have these meanings:

12 (1) "Board" means the Louisiana State Police Retirement System Board.

13 **(2) "Commission" means the State Police Commission as established by**

14 **Article X, Section 43 of the Constitution of Louisiana.**

15 ~~(2)~~**(3)** "Distributee" means a person who is eligible for benefits pursuant to
16 this Chapter.

17 ~~(3)~~**(4)** "Division" or "office" means the office of state police, Department of
18 Public Safety.

19 ~~(4)~~**(5)** "Fund" means the Louisiana State Police Retirement System Fund.

20 ~~(5)~~**(6)** "Minor Child" means a child of a member of this system who is under
21 the age of eighteen years or who is a student who is under the age of twenty-three

1 years.

2 ~~(6)~~(7) "Pension plan" means the defined benefit plan created by this Chapter
3 and administered by the board to provide monthly benefits for retirees, beneficiaries,
4 and survivors.

5 ~~(7)~~(8) "Student" means a person in a high school, a vocational-technical
6 school, or a college or university, in a sufficient number of courses and classes in an
7 accredited institution to be classified as a full-time regular student under the criteria
8 used by the institution in which he is enrolled.

9 ~~(8)~~(9) "System" means the Louisiana State Police Retirement System.

10 ~~(9)~~(10) "Vested" means that a benefit payable to the member at some future
11 time is not forfeitable.

12 * * *

13 §1305. Membership in pension and retirement system; credit for unclassified service
14 prohibited; exceptions

15 * * *

16 B. Except for the secretary and the deputy secretary of the Department of
17 Public Safety and Corrections who shall be unclassified state employees, all
18 members of the State Police Retirement System shall be classified employees under
19 the ~~state civil service system~~ commission and after July 27, 1966, no service credit
20 shall be allowed in the system for unclassified service with the office of state police
21 except for service as secretary and deputy secretary of the Department of Public
22 Safety and Corrections.

23 * * *

24 §1307.1. Exceptions

25 * * *

26 B.(1)

* * *

27 (2)(a) Notwithstanding any other provision of law to the contrary and
28 specifically the provisions of R.S. 11:1310, the phrase "average salary" as used in
29 this Subsection for the purpose of computing the regular retirement benefits of any
30 member who entered the Deferred Retirement Option Plan based on less than

1 twenty-five years of service shall mean the average salary including any pay or
 2 salary provided by the legislature in addition to that pay or salary that is set by ~~either~~
 3 ~~the Civil Service Commission or the State Police Civil Service Commission~~
 4 **commission** for any twelve-month period of service occurring while a member of
 5 this system, but limited to the first twenty-five years of state trooper service,
 6 regardless of whether such state trooper service occurred before, during, or after
 7 participation in the Deferred Retirement Option Plan. The phrase "average salary"
 8 as defined by this Subparagraph shall be used for purposes of computing the regular
 9 retirement benefit that is payable based on all service occurring prior to the member's
 10 effective date of participation in the Deferred Retirement Option Plan.

11 (b) Any supplemental regular retirement benefit which is payable based on
 12 service which occurs after the member's termination of participation in the Deferred
 13 Retirement Option Plan shall be based on the greater of the average salary as
 14 determined in Subparagraph (a) of this Paragraph or the average salary including any
 15 pay or salary provided by the legislature in addition to that pay or salary that is set
 16 by ~~either the Civil Service Commission or the State Police Civil Service Commission~~
 17 **commission** for any twelve-month period of service occurring while a member of
 18 this system, but limited to the years of service which are attributable to twenty-five
 19 or more years of state trooper service.

20 * * *

21 §1310. Average salary; method of determining

22 A.(1) With respect to persons employed prior to September 8, 1978, the term
 23 "average salary" as used in this Chapter for the purpose of determining pension
 24 payments and retirement is the average salary including any additional pay or salary
 25 provided by the legislature over and above that set by the ~~Civil Service Commission~~
 26 **commission**, received for the year ending on the last day of the month immediately
 27 preceding the date of retirement or date of death or for any one-year period,
 28 whichever is the greatest. For the purposes of computation, "average salary" shall not
 29 include overtime, expenses, or clothing allowances.

30 (2)(a) With respect to persons becoming employed on and after September

1 8, 1978, and whose first employment making them eligible for membership in one
 2 of the state systems occurred on or before December 31, 2010, the term "average
 3 salary" as used in this Chapter for the purpose of determining pension payments and
 4 retirement is the average salary including any additional pay or salary provided by
 5 the legislature over and above that set by the ~~Civil Service Commission~~ **commission**,
 6 received for the thirty-six highest months of successive employment, or for the
 7 highest thirty-six successive joined months of employment where interruption of
 8 service occurred, whichever is the greatest. For the purposes of computation,
 9 "average salary" shall not include overtime, expenses, or clothing allowances.

10 * * *

11 §1333. Accumulation of annual leave; conversion to membership service

12 A member shall be allowed to accumulate without limitation all of the
 13 member's unused annual leave. When a member retires, or dies while still a member
 14 of the fund and before retirement leaving a surviving spouse or dependent, or both,
 15 who are entitled to benefits under this Chapter, his unused accumulated annual leave
 16 which was earned under ~~civil service~~ **the commission** or administrative rules shall
 17 be added to his membership service, the addition to membership service to be on the
 18 basis of one work day for each eight hours of unused annual leave. Fractional days
 19 of one-half day or more shall be counted as one day and fractional days of less than
 20 one-half day shall be disregarded. The member's unused annual leave shall not be
 21 used to determine eligibility for retirement, but shall be credited to the member only
 22 after it is determined that the member is otherwise eligible for retirement.

23 §1334. Accumulation of sick leave; conversion to membership service

24 When a member retires, or dies while still a member and before retirement
 25 leaving a surviving spouse or dependent, or both, who are entitled to benefits under
 26 this Chapter, his unused accumulated sick leave which was earned under the ~~civil~~
 27 ~~service~~ **commission** or administrative rules shall be added to his membership
 28 service, the addition to be on the basis of one work day for each eight hours of
 29 unused sick leave. Fractional days of one-half day or more shall be counted as one
 30 day but fractional days of less than one-half day shall be disregarded. The member's

1 unused accumulated sick leave shall not be used to determine eligibility for
2 retirement, but shall be credited to the member only after it is determined that the
3 member is otherwise eligible for retirement.

4 * * *

5 §1345.2. Application; definitions

6 Terms not specifically defined in this Section shall have the meanings
7 provided in R.S. 11:1301 unless a different meaning is clearly required by the
8 context. For purposes of this Part:

9 (1) "Average compensation" means the average annual earned compensation
10 of a member for the sixty highest months of successive employment, or for the
11 highest sixty successive joined months of employment where interruption of service
12 occurred; however, average compensation for part-time employees who do not use
13 sixty months of full-time employment for average compensation purposes shall be
14 based on the base pay the part-time employee would have received had he been
15 employed on a full-time basis. The earnings to be considered for the thirteenth
16 through the twenty-fourth month shall not exceed one hundred fifteen percent of the
17 earnings of the first through the twelfth month. The earnings to be considered for the
18 twenty-fifth through the thirty-sixth month shall not exceed one hundred fifteen
19 percent of the earnings of the thirteenth through the twenty-fourth month. The
20 earnings to be considered for the thirty-seventh through the forty-eighth month shall
21 not exceed one hundred fifteen percent of the earnings of the twenty-fifth through
22 the thirty-sixth month. The earnings for the final twelve months shall not exceed one
23 hundred fifteen percent of the earnings of the thirty-seventh through the forty-eighth
24 month. The limitations on the computation of average compensation contained in this
25 Paragraph shall not apply to any twelve-month period during which compensation
26 increased by more than fifteen percent over the previous twelve-month period solely
27 because of an increase in compensation by a uniform systemwide increase adopted
28 by the ~~state Department of Civil Service~~ **commission** and approved by the governor
29 or because of a pay adjustment enacted by the legislature.

30 * * *

1 Section 2. This Act shall become effective on June 30, 2026; if vetoed by the
2 governor and subsequently approved by the legislature, this Act shall become effective on
3 the day following such approval by the legislature or June 30, 2026, whichever is later.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____