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

# DIGEST 2016 Regular Session

Peacock

<u>Proposed law</u> generally rearranges the content of <u>present law</u> to provide for ease of administration and clarification of certain actuarial concepts.

<u>Proposed law</u> contains a few substantive changes, as further detailed in this digest.

Unless otherwise indicated, the provisions of <u>present law</u> and <u>proposed law</u> apply to all four state retirement systems:

- (1) La. State Employees' Retirement System (LASERS)
- (2) Teachers' Retirement System of La. (Teachers' or TRSL)
- (3) La. School Employees' Retirement System (LSERS)
- (4) State Police Retirement System (Troopers)

#### **OVERVIEW**

SB 18 Original

<u>Present law</u>, relative to state retirement systems, generally provides for determination of actuarial liabilities and calculations of payments to liquidate those liabilities. Provides for application of certain actuarial gains to help reduce the payments necessary to liquidate a system's liabilities, to reduce specific amortization bases of system debt, and for allocation to a side account (the experience account) designed to accumulate monies to fund benefit increases for retirees.

### Proposed law retains present law.

<u>Present law</u> provides for determination of the amount and timing of permanent benefit increases (PBIs) for retirees, sometimes called cost-of-living adjustments or COLAs.

Proposed law retains present law.

## SUBSTANTIVE CHANGES

<u>Present law</u>, subject to certain caveats, provides for a schedule of maximum PBI amounts based on a system's funded level. The schedule ranges from a minimum of 1.5% for a system that is at least 55% funded but less than 65% funded to a maximum of 3.0% for a system that is at least 80% funded.

## Proposed law retains present law.

<u>Proposed law</u>, for purposes of determining the maximum PBI within the schedule in <u>present law</u>, specifies that the funding level shall be determined before any allocation to the experience account.

<u>Proposed law</u> provides that effective for the June 30, 2016 system valuation the amortization period for most actuarial changes, gains, and losses shall be reduced <u>from</u> 30 years <u>to</u> 20 years in two-year increments over the next five years. Further provides that in the first system valuation following June 30, 2015, in which an allocation is made to the system's experience account and for each valuation thereafter, actuarial gains allocated to the experience account shall be amortized as a loss with level payments over a 10-year period.

<u>Present law</u> provides for multiple employer contribution rates at LASERS and Teachers' for the various specialty plans within each system.

<u>Proposed law</u> retains <u>present law</u> and consolidates all K-12 employee groups at Teachers' into a single plan for rate purposes.

<u>Present law</u>, relative to LASERS and Teachers', provides for special amortization bases called the original amortization base (OAB) and the experience account amortization base (EAAB). Provides for increasing payment schedules for these debts. Provides for application of annual "hurdle" payments, from investment earnings above a certain target, to extinguish these debts.

<u>Proposed law</u> retains <u>present law</u> and provides for reamortization of the debt payments when moving to level-dollar payments results in annual payments that are not more than the next annual payment otherwise required under <u>present law</u> without extending the payment period.

<u>Proposed law</u> further provides for reamortization of the debt payments in the June 30, 2016 valuation and in every valuation in which the year is equal to 2016 plus a multiple of five.

<u>Proposed law</u> prescribes the order in which credits and debits are to be made to the experience account. Requires credits (or debits) related to the net investment gain (or loss) attributable to the balance in the experience account during the prior year be made first. Next any credits pursuant to <u>present law</u> allocation of investment experience gains are applied. Lastly, if a COLA is paid, the debit for such COLA cost shall be made to the account.

#### NONSUBSTANTIVE CHANGES

Present law provides for the following for each system:

- (A) A 30-year amortization period for certain changes, gains, and losses with level dollar amounts.
- (B) Application of annual "hurdle" payments, from investment earnings above a certain target, to extinguish certain debts.

- (C) Indexing of hurdle payments by increasing them as the system's assets increase.
- (D) Reamortization of debts subject to the hurdle payments under certain circumstances after a system attains a designated funding level.
- (E) Five-year amortization of certain gains recognized in the 2014 valuation.

Proposed law retains present law.

Present law, relative to LSERS, provides for:

- (H) The application of residual experience account funds on June 30, 2014, as a part of:
- (I) The consolidation of existing amortization bases.

Proposed law retains present law.

Present law, relative to LASERS and Teachers', provides that:

- (J) After the OAB is liquidated, the payments that had been applied to the OAB shall be added to the hurdle payments to the EAAB.
- (K) After the EAAB is liquidated, the payments that had been applied to the EAAB shall be applied to the next oldest outstanding amortization base of debt.

Proposed law retains present law.

<u>Present law</u> provides for (L) a volatility review of future payment schedules for each system.

Proposed law retains present law.

Proposed law relative to the experience account at each system provides for:

- (M) Credits and debits to the account.
- (N) A schedule of maximum PBIs based on funded status.
- (O) Payment of "partial" PBIs in certain circumstances when funds are not available for a "full" PBI.
- (P) PBIs only every other year until a threshold of funding is attained.

Proposed law retains present law.

A table of the major <u>present law</u> provisions that were relocated is below.

PROVISION	SYSTEM	PRESENT LAW	PROPOSED LAW
A	LASERS	R.S. 11:102(B)(3)(d)(v)(aa)(I)	R.S. 11:102(C)(2)(a)
	TRSL	R.S. 11:102(B)(3)(d)(vii)(aa)(I)	R.S. 11:102(D)(2)(a)
	LSERS	R.S. 11:102(B)(3)(d)(vi)(aa)(I)	R.S. 11:102(E)(1)
	Troopers	R.S. 11:102(B)(3)(d)(viii)(aa)(I)	R.S. 11:102(F)(1)
В	LASERS	R.S. 11:102(B)(3)(d)(v)(aa)(II)	R.S. 11:102(C)(2)(b)
	TRSL	R.S. 11:102(B)(3)(d)(vii)(aa)(II)	R.S. 11:102(D)(2)(b)
	LSERS	R.S. 11:102(B)(3)(d)(vi)(aa)(II)	R.S. 11:102(E)(3)
	Troopers	R.S. 11:102(B)(3)(d)(viii)(aa)(II)	R.S. 11:102(F)(2)
С	LASERS	R.S. 11:102(B)(3)(d)(v)(bb)(I)&(II)	R.S. 11:102.1
	TRSL	R.S. 11:102(B)(3)(d)(vii)(bb)(I)	R.S. 11:102.2
	LSERS	R.S. 11:102(B)(3)(d)(vi)(bb)(I)&(II)	R.S. 11:102.3
	Troopers	R.S. 11:102(B)(3)(d)(viii)(bb)(I)&(II)	R.S. 11:102.4
D	LASERS	R.S. 11:102(B)(3)(d)(v)(bb)(I)&(II)	R.S. 11:102.1(A)(4)
	TRSL	R.S. 11:102(B)(3)(d)(vii)(bb)(I)&(II)	R.S. 11:102.2(A)(4)
	LSERS	R.S. 11:102(B)(3)(d)(vi)(bb)(II)	R.S. 11:102.3(A)(1)(b)
	Troopers	R.S. 11:102(B)(3)(d)(viii)(bb)(II)	R.S. 11:102.4(A)(1)(b)
Е	LASERS	R.S. 11:102(B)(3)(d)(v)(bb)(I)&(II)	R.S. 11:102.1(A)(4)(h)
	TRSL	R.S. 11:102(B)(3)(d)(vii)(bb)(I)&(II)	R.S. 11:102.2(A)(4)(h)
	LSERS	R.S. 11:102(B)(3)(d)(vi)(bb)(II)	R.S. 11:102.3(A)(5)
	Troopers	R.S. 11:102(B)(3)(d)(viii)(bb)(II)	R.S. 11:102.4(A)(5)
F	LASERS	R.S. 11:102(B)(3)(d)(v)(cc)	R.S. 11:102(C)(2)(c)
	TRSL	R.S. 11:102(B)(3)(d)(vii)(cc)	R.S. 11:102(D)(2)(c)
	LSERS	R.S. 11:102(B)(3)(d)(vi)(cc)	R.S. 11:102(E)(4)
	Troopers	R.S. 11:102(B)(3)(d)(viii)(cc)	R.S. 11:103(F)(3)
G	LASERS	R.S. 11:102(B)(3)(d)(v)(dd)	R.S. 11:102.5
	TRSL	R.S. 11:102(B)(3)(d)(vii)(dd)	R.S. 11:102.5
	LSERS	R.S. 11:102(B)(3)(d)(vi)(dd)	R.S. 11:102.5
	Troopers	R.S. 11:102(B)(3)(d)(viii)(dd)	R.S. 11:102.5

PROVISION	SYSTEM	PRESENT LAW	PROPOSED LAW
Н	LSERS	R.S. 11:102(B)(3)(d)(vi)(ee)(I)	R.S. 11:102(E)(2)(b)
I	LSERS	R.S. 11:102(B)(3)(d)(vi)(ee)(II)	R.S. 11:102(E)(2)(a)
J	LASERS	R.S. 11:102(B)(3)(d)(v)(bb)(I)	R.S. 11:102.1(A)(4)(c)(iii),(iv)&(v)
	TRSL	R.S. 11:102(B)(3)(d)(vii)(bb)(II)	R.S. 11:102.2(A)(4)(c)(iii),(iv)&(v)
K	LASERS	R.S. 11:102(B)(3)(d)(v)(bb)(II)	R.S. 11:102.1(D)
	TRSL	R.S. 11:102(B)(3)(d)(vii)(bb)(II)	R.S. 11:102.2(A)(4)(e)&(D)
L	all	R.S. 11:102.3	R.S. 11:102.6
M	LASERS	R.S. 11:542(A)(2)&(B)	R.S. 11:542(B)(2)&(3)
	TRSL	R.S. 11:883.1(A)(2)&(B)	R.S. 11:883.1(B)(2)&(3)
	LSERS	R.S. 11:1145.1(A)(1)	R.S. 11:1145.1(A)(1)&(2)
	Troopers	R.S. 11:1332(A)(1)	R.S. 11:1332(A)(1)&(2)
N	LASERS	R.S. 11:542(C)(2)	R.S. 11:542(D)
	TRSL	R.S. 11:883.1(C)(2)	R.S. 11:883.1(D)
	LSERS	R.S. 11:1145.1(C)(2)	R.S. 11:1145.1(C)
	Troopers	R.S. 11:1332(C)(2)	R.S. 11:1332(C)
О	LASERS	R.S. 11:542(G)	R.S. 11:542(D)(4)
	TRSL	R.S. 11:883.1(H)	R.S. 11:883.1(D)(4)
	LSERS	R.S. 11:1145.1(F)	R.S. 11:1145.1(C)(4)
	Troopers	R.S. 11:1332(G)	R.S. 11:1332(C)(4)
P	LASERS	R.S. 11:542(C)(2)(e)	R.S. 11:542(D)(1)(b)
	TRSL	R.S. 11:883.1(C)(2)(e)	R.S. 11:883.1(D)(1)(b)
	LSERS	R.S. 11:1145.1(C)(2)(e)	R.S. 11:1145.1(C)(1)(b)
	Troopers	R.S. 11:1332(C)(2)(e)	R.S. 11:1332(C)(1)(b)

<u>Proposed law</u> specifies that if the provisions of <u>proposed law</u> conflict with the provisions of any other Act of the 2016 Regular Session, the provisions of <u>proposed law</u> shall supersede and control regardless of the order of passage.

Effective June 30, 2016.

(Amends R.S. 11:102(B)(1), (2), (3)(intro para), (a), and (d)(intro para), (i), (ii), (iii), and (iv), (4),

and (5)(a) and (b), (C), and (D), 102.1(B)(4), (5), and (6) and (C)(2), (4), (5), and (6), 102.2(B)(4) and (5) and (C)(2), (4), (5), and (6), 102.3, 542, 883.1(A), (B), (C), (E), (F) and (G), 927(B)(2)(a)(intro para) and (i) and (b)(i) and (3)(a), 1145.1, and 1332; adds R.S. 11:102(E) and (F), 102.1(A)(4), (B)(3)(a)(iv), (C)(3)(d), and (D), 102.2(A)(4), (B)(3)(a)(iv), (C)(3)(d), and (D), 102.4, 102.5, 102.6, and 883.1(D); repeals R.S. 11:102(B)(3)(d)(v), (vi), (vii), and (viii) and 883.1(H))