SLS 20RS-28

ORIGINAL

2020 Regular Session

SENATE BILL NO. 18

BY SENATOR PEACOCK

RETIREMENT SYSTEMS. Provides relative to retirement eligibility for certain members of state retirement systems. (6/30/20)

1	AN ACT
2	To amend and reenact R.S. 11:441(A)(2)(c), 461(B)(3)(c), 726(B)(2), 761(A)(4) and (5),
3	765(A)(2), 780(A), 786(A)(4), 802(B), 1141(A), 1142(C), and 1147(C)(4)(b), to
4	enact R.S. 11:131, 441(A)(2)(d), 461(B)(3)(d), 726(B)(3), 761(A)(6), 765(A)(3),
5	786(A)(5), 802(C), 1142(D), and 1147(C)(4)(c), and to repeal R.S. 11:132, relative
6	to retirement eligibility for certain new members of the Louisiana State Employees'
7	Retirement System, the Teachers' Retirement System of Louisiana, and the Louisiana
8	School Employees' Retirement System; to establish new retirement eligibility for
9	certain members employed on or after July 1, 2020; to provide relative to disability
10	retirements; to provide for an effective date; and to provide for related matters.
11	Notice of intention to introduce this Act has been published.
12	Be it enacted by the Legislature of Louisiana:
13	Section 1. R.S. 11:441(A)(2)(c), 461(B)(3)(c), 726(B)(2), 761(A)(4) and (5),
14	765(A)(2), 780(A), 786(A)(4), 802(B), 1141(A), 1142(C), and 1147(C)(4)(b) are hereby
15	amended and reenacted and R.S. 11:131, 441(A)(2)(d), 461(B)(3)(d), 726(B)(3), 761(A)(6),
16	765(A)(3), 786(A)(5), 802(C), 1142(D), and 1147(C)(4)(c) are hereby enacted to read as
17	follows:

Page 1 of 13 Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

1	§131. Determination of Social Security Administration age
2	A. The provisions of this Section apply to the determination of the Social
3	Security Administration age in R.S. 11:441, 726, 761, 802, 1141, 1142, and 1147.
4	B. The "age of retirement set by the Social Security Administration",
5	means the greater of age sixty-seven or the highest normal retirement age in
6	whole years required for eligibility to receive unreduced retirement benefits
7	from the Social Security Administration on January second of the applicable
8	<u>calendar year as follows:</u>
9	(1) For a person whose first employment date is between January first
10	and June thirtieth, inclusive, the January second of the year immediately
11	preceding the year he is first employed.
12	(2) For a person whose first employment date is between July first and
13	December thirty-first, inclusive, the January second of the year he is first
14	employed.
15	* * *
16	§441. Eligibility for retirement
17	A. * * *
18	(2) * * *
19	(c) Except for members of the Hazardous Duty Services Plan, as defined in
20	R.S. 11:612, any member whose first employment making him eligible for
21	membership in one of the state systems occurred on or after July 1, 2015, and on or
22	before June 30, 2020, including any judge, court officer, governor, lieutenant
23	governor, clerk or sergeant-at-arms of the House of Representatives, secretary or
24	sergeant-at-arms of the Senate, or state treasurer, shall be eligible for retirement if
25	he has:
26	(i) Five years or more of service, at age sixty-two or thereafter.
27	(ii) Twenty years of service credit at any age, exclusive of military service
28	and unused annual and sick leave, but any person retiring under this Item shall have
29	his benefit, inclusive of military service credit and allowable unused annual and sick

Page 2 of 13 Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

1	leave, actuarially reduced from the earliest age that he would normally become
2	eligible for a regular retirement benefit under Item (i) of this Subparagraph if he had
3	continued in service to that age. Any employee who elects to retire under the
4	provisions of this Item shall not be eligible to participate in the Deferred Retirement
5	Option Plan provided by R.S. 11:447 or the Initial Benefit Option provided by R.S.
6	11:446.
7	(d) Except for members of the Hazardous Duty Services Plan, as defined
8	in R.S. 11:612, any member whose first employment making him eligible for
9	membership in one of the state systems occurred on or after July 1, 2020,
10	including any judge, court officer, governor, lieutenant governor, clerk or
11	sergeant-at-arms of the House of Representatives, secretary or sergeant-at-arms
12	of the Senate, or state treasurer, shall be eligible for retirement if he has:
13	(i) Five years or more of service, at age sixty-seven or the age of
14	retirement set by the Social Security Administration, whichever is greater, or
15	thereafter.
16	(ii) Forty years or more of service, at age sixty-two or thereafter.
17	(iii) Twenty years of service credit at any age, exclusive of military
18	service and unused annual and sick leave, but any person retiring under this
19	Item shall have his benefit, inclusive of military service credit and allowable
20	unused annual and sick leave, actuarially reduced from the earliest age that he
21	would normally become eligible for a regular retirement benefit under Item (i)
22	of this Subparagraph if he had continued in service to that age. Any employee
23	who elects to retire under the provisions of this Item shall not be eligible to
24	participate in the Deferred Retirement Option Plan provided by R.S. 11:447 or
25	the Initial Benefit Option provided by R.S. 11:446.
26	* * *
27	§461. Eligibility; certification
28	* * *
29	B. The board of trustees shall award disability benefits to eligible members

Page 3 of 13 Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

2 The disability benefit shall be determined as follows: 3 * * * * 4 (3) * * * * 5 (c) Any person who has not attained the age of sixty-two and who 6 employment making him eligible for membership in one of the state s 7 occurred on or after July 1, 2015, and on or before June 30, 2020, shall redisability benefit equal to two and one-half percent of average compensa 9 every year of creditable service. When the disability retiree attains the age of 10 two, he shall receive his regular retirement benefit upon making application of 11 to the board. 12 (d) Any person who has not attained the age set forth pursuant 13 11:441(A)(2)(d)(i) and whose first employment making him eligiti 14 membership in one of the state systems occurred on or after July 1, 202 15 receive a disability benefit equal to two and one-half percent of as 16 compensation for every year of creditable service. When the disability 17 attains the age required by R.S. 11:441(A)(2)(d)(i), he shall receive his retirement 18 retirement 20 §726. Termination of membership; withdrawal from service after five years; 21 retirement 22 * * *	1	who have been officially ce	ertified a	s disabl	ed by the St	ate Medical	Disability Bo	oard.
4 (3) *	2	The disability benefit shall	be deter	rmined	as follows:			
5 (c) Any person who has not attained the age of sixty-two and who 6 employment making him eligible for membership in one of the state state 7 occurred on or after July 1, 2015, and on or before June 30, 2020, shall re 8 disability benefit equal to two and one-half percent of average compensation or two, he shall receive his regular retirement benefit upon making application to the board. 12 (d) Any person who has not attained the age set forth pursuant 13 11:441(A)(2)(d)(i) and whose first employment making him eligible 14 membership in one of the state systems occurred on or after July 1, 202 15 receive a disability benefit equal to two and one-half percent of attains the age required by R.S. 11:441(A)(2)(d)(i), he shall receive his retirement benefit upon making application therefor to the board. 19 * * * 20 §726. Termination of membership; withdrawal from service after five years; 21 retirement 22 * * * 23 B. * * * 24 (2) Any member whose first employment making him eligil 25 membership in one of the state systems occurred on or after July 1, 2015, and 24 (2) Any member whose first employment making him eligil 25 membership in one of the state systems occurred on or after July 1	3		*	*	*			
6 employment making him eligible for membership in one of the state	4	(3)	*	*	*			
7 occurred on or after July 1, 2015, and on or before June 30, 2020, shall re 8 disability benefit equal to two and one-half percent of average compensa 9 every year of creditable service. When the disability retiree attains the age of 10 two, he shall receive his regular retirement benefit upon making application to 11 to the board. 12 (d) Any person who has not attained the age set forth pursuant 13 11:441(A)(2)(d)(i) and whose first employment making him eligil 14 membership in one of the state systems occurred on or after July 1, 202 15 receive a disability benefit equal to two and one-half percent of a 16 compensation for every year of creditable service. When the disability 17 attains the age required by R.S. 11:441(A)(2)(d)(i), he shall receive his to 18 retirement benefit upon making application therefor to the board. 19 * * * 20 §726. Termination of membership; withdrawal from service after five years; 21 retirement 22 * * * 23 B. * * * 24 (2) Any member whose first employment making him eligit 25 membership in one of the state systems occurred on or after July 1, 2015, and <td>5</td> <td>(c) Any person wh</td> <td>o has no</td> <td>ot attain</td> <td>ed the age</td> <td>of sixty-two</td> <td>o and whose</td> <td>first</td>	5	(c) Any person wh	o has no	ot attain	ed the age	of sixty-two	o and whose	first
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9 every year of creditable service. When the disability retiree attains the age of 10 two, he shall receive his regular retirement benefit upon making application f 11 to the board. 12 (d) Any person who has not attained the age set forth pursuant 13 11:441(A)(2)(d)(i) and whose first employment making him eligil 14 membership in one of the state systems occurred on or after July 1, 202 15 receive a disability benefit equal to two and one-half percent of a 16 compensation for every year of creditable service. When the disability 17 attains the age required by R.S. 11:441(A)(2)(d)(i), he shall receive his retirement benefit upon making application therefor to the board. 19 * * * 20 §726. Termination of membership; withdrawal from service after five years; 21 retirement 22 * * * 23 B. * * * 24 (2) Any member whose first employment making him eligil 25 membership in one of the state systems occurred on or after July 1, 2015, and 26 before June 30, 2020, who has credit for five or more years of servi 27 withdraw from service and elect to leave his accumulated contributions in the 28 and, up	7	occurred on or after July 1	, 2015 <u>, </u>	and on (or before J	une 30, 202	20, shall rece	ive a
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16 compensation for every year of creditable service. When the disability 17 attains the age required by R.S. 11:441(A)(2)(d)(i), he shall receive his not service attains the benefit upon making application therefor to the board. 18 retirement benefit upon making application therefor to the board. 19 * * * 20 §726. Termination of membership; withdrawal from service after five years; 21 retirement 22 * * * 23 B. * * * 24 (2) Any member whose first employment making him eligi 25 membership in one of the state systems occurred on or after July 1, 2015, an 26 before June 30, 2020, who has credit for five or more years of servic 27 withdraw from service and elect to leave his accumulated contributions in the 28 and, upon reaching age sixty-two, he shall receive a retirement allowance b	14	membership in one of the	e state sy	ystems o	occurred of	n or after J	uly 1, 2020, s	shall
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19 * * * * 20 §726. Termination of membership; withdrawal from service after five years; 21 retirement 22 * * * 23 B. 24 (2) Any member whose first employment making him eligit 25 membership in one of the state systems occurred on or after July 1, 2015, an 26 before June 30, 2020, who has credit for five or more years of servit 27 withdraw from service and elect to leave his accumulated contributions in the 28 and, upon reaching age sixty-two, he shall receive a retirement allowance b	17	attains the age required h	by R.S. 1	11:441(A)(2)(d)(i),	he shall re	ceive his reg	ular
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 22 * * * * 23 B. * * * 24 (2) Any member whose first employment making him eligit 25 membership in one of the state systems occurred on or after July 1, 2015, an 26 before June 30, 2020, who has credit for five or more years of service 27 withdraw from service and elect to leave his accumulated contributions in the 28 and, upon reaching age sixty-two, he shall receive a retirement allowance b 	20	§726. Termination of mem	bership;	withdra	wal from se	ervice after f	five years; reg	gular
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26 before June 30, 2020 , who has credit for five or more years of service 27 withdraw from service and elect to leave his accumulated contributions in the 28 and, upon reaching age sixty-two, he shall receive a retirement allowance b	24	(2) Any member	whose	first e	employment	t making l	him eligible	for
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28 and, upon reaching age sixty-two, he shall receive a retirement allowance b	26	<u>before June 30, 2020</u> , w	/ho has	credit 1	for five or	more years	s of service	may
	27	withdraw from service and	elect to l	eave his	accumulate	ed contribut	ions in the sys	stem
the credits he had at the time of his withdrawal from service.	28	and, upon reaching age six	ty-two,]	he shall	receive a re	etirement all	lowance base	ed on
	29	the credits he had at the tim	ne of his	s withdr	awal from s	service.		

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1	(3) Any member whose first employment making him eligible for
2	membership in one of the state systems occurred on or after July 1, 2020, who
3	has credit for five or more years of service may withdraw from service and elect
4	to leave his accumulated contributions in the system and, upon reaching age
5	sixty-seven or the age of retirement set by the Social Security Administration,
6	whichever is greater, he shall receive a retirement allowance based on the
7	credits he had at the time of his withdrawal from service.
8	* * *
9	§761. Retirement benefits; application; eligibility requirements; effective date;
10	cancellation; errors and omissions
11	A. * * *
12	(4) Any person whose first employment making him eligible for membership
13	in one of the state systems occurred on or after July 1, 2015, and on or before
14	June 30, 2020, may retire upon written application to the board of trustees, if at the
15	time of application the member:
16	(a) Has attained the age of sixty-two years and has credit for five years of
17	accredited service.
18	(b) Has twenty years of service credit at any age, exclusive of unused annual
19	and sick leave and military service other than qualified military service as provided
20	in 26 U.S.C. 414(u) earned on or after December 12, 1994, but any person retiring
21	under this Subparagraph shall have his benefit, inclusive of military service credit
22	and allowable unused annual and sick leave, actuarially reduced from the earliest age
23	that he would normally become eligible for a regular retirement benefit under
24	Subparagraph (a) of this Paragraph if he had continued in service to that age. Any
25	member who elects to retire under the provisions of this Subparagraph shall not be
26	eligible to participate in the Deferred Retirement Option Plan provided by R.S.
27	11:786 or the Initial Lump-Sum Benefit option provided by R.S. 11:783.
28	(5) Any person whose first employment making him eligible for
29	membership in one of the state systems occurred on or after July 1, 2020, may

Page 5 of 13 Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

1	retire upon written application to the board of trustees, if at the time of
2	application the member:
3	(a) Has attained the age of sixty-seven years or the age of retirement set
4	by the Social Security Administration, whichever is greater, and has credit for
5	five years of accredited service.
6	(b) Has attained the age of sixty-two years and has credit for forty years
7	of accredited service.
8	(c) Has twenty years of service credit at any age, exclusive of unused
9	annual and sick leave and military service other than qualified military service
10	as provided in 26 U.S.C. 414(u) earned on or after December 12, 1994, but any
11	person retiring under this Subparagraph shall have his benefit, inclusive of
12	military service credit and allowable unused annual and sick leave, actuarially
13	reduced from the earliest age that he would normally become eligible for a
14	regular retirement benefit under Subparagraph (a) of this Paragraph if he had
15	continued in service to that age. Any member who elects to retire under the
16	provisions of this Subparagraph shall not be eligible to participate in the
17	Deferred Retirement Option Plan provided by R.S. 11:786 or the Initial Lump-
18	Sum Benefit option provided by R.S. 11:783.
19	(6)(a) A properly executed application for retirement shall be considered as
20	officially filed when received by the board of trustees of this system. Retirement
21	benefits shall become effective as of the date a properly executed application for
22	retirement is received by the board of trustees of this system or the day after the
23	member terminates from teaching service, whichever is later.
24	(b) A member may cancel his application for retirement only prior to
25	negotiating, cashing, or depositing any benefit check including an estimated benefit
26	check.
27	* * *
28	§765. Withdrawal from service after five years; retirement at age sixty regular
29	retirement

Page 6 of 13 Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

1	A. * * *
2	(2) Any member whose first employment making him eligible for
3	membership in one of the state systems occurred on or after July 1, 2015, and on or
4	before June 30, 2020, who has credit for five or more years of service may
5	withdraw from service and elect to leave his accumulated contribution in the system
6	and, upon reaching age sixty-two, he shall receive a retirement allowance based on
7	the credits he had at the time of his withdrawal from service.
8	(3) Any member whose first employment making him eligible for
9	membership in one of the state systems occurred on or after July 1, 2020, who
10	has credit for five or more years of service may withdraw from service and elect
11	to leave his accumulated contribution in the system and, upon reaching the age
12	set forth pursuant to R.S. 11:761(A)(5), he shall receive a retirement allowance
13	based on the credits he had at the time of his withdrawal from service.
14	* * *
15	§780. Reexamination of disability retirees; modification of benefits; restoration to
16	active service
17	A. Once each year during the first five years following any retirement of a
18	member on a disability retirement allowance and once in every three-year period
19	thereafter, the board of trustees shall require any disability retiree whose first
20	employment making him eligible for membership in one of the state systems
21	occurred on or before June 30, 2015, who has not yet attained the age of sixty years
22	and; any disability retiree whose first employment making him eligible for
23	membership in one of the state systems occurred on or after July 1, 2015, and on or
24	before June 30, 2020, who has not yet attained the age of sixty-two; and any
25	disability retiree whose first employment making him eligible for membership
26	in one of the state systems occurred on or after July 1, 2020, who has not yet
27	attained the age set forth pursuant to R.S. 11:761(A)(5), to undergo a medical
28	examination at the retiree's expense, to be made at the place of residence of the
29	retiree or other place mutually agreed upon, by a physician or physicians designated

Page 7 of 13 Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

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1	by the board of trustees. The periodic reexaminations may be discontinued upon
2	advice of the medical board that the retiree's condition is either terminal or that
3	chances of recovery are highly improbable. If any such disability retiree refuses to
4	submit to at least one medical examination in any such year by a physician or
5	physicians designated by the board of trustees, his allowance may be discontinued
6	until his withdrawal of such refusal; but if his refusal continues for one year, all of
7	his rights in and to his pension may be revoked by the board of trustees.
8	* * *
9	§786. Deferred Retirement Option Plan
10	A. * * *
11	(4) Any member of this system whose first employment making him eligible
12	for membership in one of the state retirement systems occurred on or after July 1,
13	2015, and on or before June 30, 2020, who has at least five years of service credit
14	and is at least age sixty-two may elect to participate in the Deferred Retirement
15	Option Plan.
16	(5) Any member of this system whose first employment making him
17	eligible for membership in one of the state retirement systems occurred on or
17 18	eligible for membership in one of the state retirement systems occurred on or after July 1, 2020, who has at least five years of service credit and has attained
18	after July 1, 2020, who has at least five years of service credit and has attained
18 19	after July 1, 2020, who has at least five years of service credit and has attained the age required by R.S. 11:761(A)(5) may elect to participate in the Deferred
18 19 20	after July 1, 2020, who has at least five years of service credit and has attained the age required by R.S. 11:761(A)(5) may elect to participate in the Deferred Retirement Option Plan.
18 19 20 21	after July 1, 2020, who has at least five years of service credit and has attained the age required by R.S. 11:761(A)(5) may elect to participate in the Deferred Retirement Option Plan. * * *
18 19 20 21 22	after July 1, 2020, who has at least five years of service credit and has attained the age required by R.S. 11:761(A)(5) may elect to participate in the Deferred Retirement Option Plan. * * §802. Eligibility for regular retirement
 18 19 20 21 22 23 	after July 1, 2020, who has at least five years of service credit and has attained the age required by R.S. 11:761(A)(5) may elect to participate in the Deferred Retirement Option Plan. * * §802. Eligibility for regular retirement * *
 18 19 20 21 22 23 24 	after July 1, 2020, who has at least five years of service credit and has attained the age required by R.S. 11:761(A)(5) may elect to participate in the Deferred Retirement Option Plan. * * §802. Eligibility for regular retirement * * * * B. Any member covered by R.S. 11:801 whose first employment making him
 18 19 20 21 22 23 24 25 	after July 1, 2020, who has at least five years of service credit and has attained the age required by R.S. 11:761(A)(5) may elect to participate in the Deferred Retirement Option Plan. * * \$802. Eligibility for regular retirement * * B. Any member covered by R.S. 11:801 whose first employment making him eligible for membership in a state system occurred on or after July 1, 2015, and on
 18 19 20 21 22 23 24 25 26 	after July 1, 2020, who has at least five years of service credit and has attained the age required by R.S. 11:761(A)(5) may elect to participate in the Deferred Retirement Option Plan. * * \$802. Eligibility for regular retirement * * 8. Any member covered by R.S. 11:801 whose first employment making him eligible for membership in a state system occurred on or after July 1, 2015, and on or before June 30, 2020, shall be eligible to retire if he has at least:
 18 19 20 21 22 23 24 25 26 27 	after July 1, 2020, who has at least five years of service credit and has attained the age required by R.S. 11:761(A)(5) may elect to participate in the Deferred Retirement Option Plan. * * \$802. Eligibility for regular retirement * * B. Any member covered by R.S. 11:801 whose first employment making him eligible for membership in a state system occurred on or after July 1, 2015, and on or before June 30, 2020, shall be eligible to retire if he has at least: (1) Five years of creditable service, and is at least age sixty-two.

Page 8 of 13 Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

1	U.S.C. 414(u) earned on or after December 12, 1994, but any person retiring under
2	this Paragraph shall have his benefit, inclusive of military service credit and
3	allowable unused annual and sick leave, actuarially reduced from the earliest age that
4	he would normally become eligible for a regular retirement benefit under Paragraph
5	(1) of this Subsection if he had continued in service to that age. Any member who
6	elects to retire under the provisions of this Paragraph shall not be eligible to
7	participate in the Deferred Retirement Option Plan provided by R.S. 11:786 or the
8	Initial Lump-Sum Benefit option provided by R.S. 11:783.
9	C. Any member covered by R.S. 11:801 whose first employment making
10	him eligible for membership in a state system occurred on or after July 1, 2020,
11	shall be eligible to retire if he has at least:
12	(1) Five years of creditable service, and is at least age sixty-seven or the
13	age of retirement set by the Social Security Administration, whichever is
14	greater.
15	(2) Forty years of creditable service, and is at least age sixty-two.
16	(3) Twenty years of service credit at any age, exclusive of unused annual
17	and sick leave and military service other than qualified military service as
18	provided in 26 U.S.C. 414(u) earned on or after December 12, 1994, but any
19	person retiring under this Paragraph shall have his benefit, inclusive of military
20	service credit and allowable unused annual and sick leave, actuarially reduced
21	from the earliest age that he would normally become eligible for a regular
22	retirement benefit under Paragraph (1) of this Subsection if he had continued
23	in service to that age. Any member who elects to retire under the provisions of
24	this Paragraph shall not be eligible to participate in the Deferred Retirement
25	Option Plan provided by R.S. 11:786 or the Initial Lump-Sum Benefit option
26	<u>provided by R.S. 11:783.</u>
27	* * *
28	§1141. Retirement benefits; application; eligibility requirements; effective date;
29	cancellation

Page 9 of 13 Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

A.(1) Any member whose first employment making him eligible for membership in one of the state systems occurred on or before June 30, 2010, may retire upon written application to the board of trustees, if the member at the time of application has attained the age of sixty years and has credit for ten years of accredited service or has attained the age of fifty-five years and has credit for twenty-five or more years of accredited service or at any age with thirty or more years of accredited service.

8 (2) Any member whose first employment making him eligible for 9 membership in one of the state systems occurred on or after July 1, 2010, and on or 10 before June 30, 2015, may retire upon written application to the board of trustees, if 11 the member at the time of application has attained the age of sixty years and has 12 credit for five years of accredited service.

(3) Any member whose first employment making him eligible for
 membership in one of the state systems occurred on or after July 1, 2015, <u>and on or</u>
 <u>before June 30, 2020,</u> may retire upon written application to the board of trustees,
 if the member at the time of application has attained the age of sixty-two years and
 has credit for five years of accredited service.

18(4) Any member whose first employment making him eligible for19membership in one of the state systems occurred on or after July 1, 2020, may20retire upon written application to the board of trustees, if the member at the21time of application has attained the age of sixty-seven or the age of retirement22set by the Social Security Administration, whichever is greater, and has credit23for five years of accredited service.

24 (5) An application for retirement shall be officially filed with the board when
25 received in the office of the director. Retirement benefits shall become effective as
26 of the date an application for retirement is filed in the office of the director or the day
27 after the member terminates from service, whichever is later. A member may cancel
28 his application for retirement only prior to negotiating, cashing, or depositing any
29 benefit check including an estimated benefit check.

Page 10 of 13 Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

§1142. Withdrawal from service; retirement allowance
* * *
C. Any member whose first employment making him eligible for
membership in one of the state systems occurred on or after July 1, 2015, and on or
before June 30, 2020, who has credit for five or more years of regular, full-time
service may withdraw from service and elect to leave his accumulated contributions
in the system and upon reaching age sixty-two, he shall be eligible to receive a
retirement allowance based on the credits he had at the time of his withdrawal from
service.
D. Any member whose first employment making him eligible for
membership in one of the state systems occurred on or after July 1, 2020, who
has credit for five or more years of regular, full-time service may withdraw
from service and elect to leave his accumulated contributions in the system and
upon reaching age sixty-seven or the age of retirement set by the Social Security
Administration, whichever is greater, he shall be eligible to receive a retirement
Administration, whichever is greater, he shall be eligible to receive a retirement allowance based on the credits he had at the time of his withdrawal from
allowance based on the credits he had at the time of his withdrawal from
allowance based on the credits he had at the time of his withdrawal from service.
allowance based on the credits he had at the time of his withdrawal from service. * * *
allowance based on the credits he had at the time of his withdrawal from service. * * * \$1147. Disability retirement
allowance based on the credits he had at the time of his withdrawal from service. * * * §1147. Disability retirement * * *
allowance based on the credits he had at the time of his withdrawal from service. * * * * * * * * * * * * * * * * * *
allowance based on the credits he had at the time of his withdrawal from service. * * * * * * * * * * * * * * * * * *
allowance based on the credits he had at the time of his withdrawal from service. * * * \$1147. Disability retirement * * C. * * * (4) * * * (b) Regardless of the effective date of his retirement and notwithstanding the * *
allowance based on the credits he had at the time of his withdrawal from service. * * * \$1147. Disability retirement * * C. * * * (4) * * * (b) Regardless of the effective date of his retirement and notwithstanding the provisions of R.S. 11:220(A) and 221(C), a disability retiree whose first employment

age sixty-two.

29

Page 11 of 13 Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

1	(c) Regardless of the effective date of his retirement and notwithstanding
2	the provisions of R.S. 11:220(A) and 221(C), a disability retiree whose first
3	employment making him eligible for membership in one of the state systems
4	occurred on or after July 1, 2020, shall no longer be required to submit to
5	regular medical exams or to file the annual income report upon attainment of
6	age sixty-seven or the age of retirement set by the Social Security
7	Administration, whichever is greater.
8	Section 2. R.S. 11:132 is hereby repealed.
9	Section 3. This Act shall become effective on June 30, 2020; if vetoed by the
10	governor and subsequently approved by the legislature, this Act shall become effective on
11	June 30, 2020, or on the day following such approval by the legislature, whichever is later.

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

SB 18 Original

DIGEST 2020 Regular Session

Peacock

RETIREMENT ELIGIBILITY

<u>Present law</u> relative to LASERS rank-and-file members, TRSL members, and LSERS members provides the following retirement eligibilities for those whose first employment making them eligible for membership in any state retirement system occurred on or after July 1, 2015:

- (1) Retirement at age 62 after five years of service.
- (2) Retirement at any age after 20 years of service; however, the member's benefit will be actuarially reduced from age 62.

Proposed law retains present law for those members hired on or before June 30, 2020.

<u>Proposed law</u> provides for retirement eligibility for those members whose first employment making them eligible for membership in a state retirement system began on or after July 1, 2020.

<u>Proposed law</u> provides that such members are eligible for retirement at age 67 or the age of retirement set by the Social Security Administration, whichever is greater, after five years of service. The actuarial reduction for new members under <u>proposed law</u> would be from age 67 or the age of retirement set by the Social Security Administration, whichever is greater.

<u>Proposed law</u> provides that the "age of retirement set by the Social Security Administration", for a person whose first employment making him eligible for membership in one of the state systems occurred on or after July 1, 2020, means the greater of age 67 or the highest normal retirement age in whole years required for eligibility to receive unreduced retirement benefits from the Social Security Administration on January 2nd of the applicable calendar year as follows:

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- (1) For a person whose first employment date is between January 1st and June 30th, inclusive, the January 2nd of the year immediately preceding the year he is first employed.
- (2) For a person whose first employment date is between July 1st and December 31st, inclusive, the January 2nd of the year he is first employed.

DISABILITY

<u>Present law</u> provides that members of LASERS rank-and-file, TRSL, and LSERS who become disabled are required to have a physician certify their continued total disability every three years until they attain age 62. <u>Proposed law</u> retains <u>present law</u> for all members whose first employment making them eligible for membership in a state retirement system occurred prior to July 1, 2020. <u>Proposed law</u> further provides that for all members whose first employment making them eligible for membership in a state retirement system occurred on or after July 1, 2020, such certification must continue until the member attains age 67.

Effective June 30, 2020.

(Amends R.S. 11:441(A)(2)(c), 461(B)(3)(c), 726(B)(2), 761(A)(4) and (5), 765(A)(2), 780(A), 786(A)(4), 802(B), 1141(A), 1142(C), and 1147(C)(4)(b); adds R.S. 11:131, 441(A)(2)(d), 461(B)(3)(d), 726(B)(3), 761(A)(6), 765(A)(3), 786(A)(5), 802(C), 1142(D), and 1147(C)(4)(c); repeals R.S. 11:132)