Regular Session, 2011

HOUSE BILL NO. 377

BY REPRESENTATIVE PEARSON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

RETIREMENT/STATE-STWIDE: Relative to state and statewide retirement systems, provides with respect to earnable compensation and service credit for any member of such a system elected to the legislature

AN ACT

To amend and reenact R.S. 11:191(A) and to enact R.S. 11:191(C), relative to state and statewide retirement systems; to prohibit certain earnings from being included in the calculation of benefits for certain members elected to the legislature; to provide with respect to service credit for such members; to provide with respect to contributions; and to provide for related matters.

Notice of intention to introduce this Act has been published as provided by Article X, Section 29(C) of the Constitution of Louisiana.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 11:191(A) is hereby amended and reenacted and R.S. 11:191(C) is hereby enacted to read as follows:

§191. Dual employment

A. Any person who is employed in more than one public employment within this state, except as provided in Subsection C of this Section and who, by reason of such employment is eligible, as a condition of such employment, to be a member of the public retirement system or fund applicable to employees in each of such public employments, shall be a contributing member of each such retirement system or fund during the term of his employment. In no event shall such person be allowed to earn

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more than one year of service credit in any one year. Service credit earned in more than one retirement system or fund in any one year shall not be transferred or recognized reciprocally to attain more than one year of service credit in any one system in any one year.

* * *

C.(1) For any member of a state or statewide retirement system elected to the legislature for a term commencing on or after July 1, 2011, and who holds another position of public office or employment within this state making him eligible for membership in such system, the earnable or earned compensation, or its equivalent, upon which his retirement benefit is calculated, shall not include any compensation for his service in the legislature occurring on or after July 1, 2011. Furthermore, no service credit shall accrue for such service as an elected member of the legislature. Neither employee nor employer contributions shall be to remitted on the compensation received for such elected service in the legislature.

(2) The provisions of this Subsection shall not apply to any member serving in the legislature on June 30, 2011.

Section 2. This Act shall become effective on June 30, 2011; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on June 30, 2011, or on the day following such approval by the legislature, whichever is later.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Pearson HB No. 377

Abstract: Relative to state and statewide retirement systems, for members of such systems elected to the legislature on or after July 1, 2011, who are employed in other public service, prohibits the earnings from legislative service from being used to calculate benefits. Prohibits the accrual of service credit for such legislative service.

Present law (R.S. 11:191(A)) provides that where any person is employed in more than one position of public employment making him eligible for membership in multiple public retirement systems, such person shall be a contributing member of each such retirement system. Provides that in no event shall such person accrue more than one year of service credit among multiple retirement systems in a given year.

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Proposed law retains present law but provides that for any member of a state or statewide retirement system elected to the legislature for a term commencing July 1, 2011, or later, who is employed in another position of public office or employment making him eligible for system membership, earnable compensation for purposes of benefit calculation shall not include compensation from such legislative service. Prohibits the accrual of service credit for such legislative service.

Proposed law does not apply to any member serving in the legislature on June 30, 2011.

Effective June 30, 2011.

(Amends R.S. 11:191(A); Adds R.S. 11:191(C))

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