Regular Session, 2011

HOUSE BILL NO. 213

BY REPRESENTATIVE DOERGE

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

RETIREMENT/MUNICIPAL POL: Requires the repayment of refunds prior to approval of disability retirement

AN ACT

To amend and reenact R.S. 11:2223(B)(5), relative to the Municipal Police Employees' Retirement System; to provide for certain restrictions with regard to disability retirement; to provide an effective date; 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. 11:2223(B)(5) is hereby amended and reenacted to read as follows:

§2223. Disability retirement

* * *

B.

* * *

(5) In no case shall any disability benefit approved by the board of trustees be paid until all employee and employer contributions are received by the retirement system, covering through the date of termination of employment. Furthermore, no application for disability benefit shall be approved until all previously refunded contributions from the system have been repaid, including compounded interest at the board-approved actuarial valuation rate thereon from the date of refund until repaid in full.

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CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

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)]

Doerge HB No. 213

Abstract: Relative to the Municipal Police Employees' Retirement System (MPERS), prohibits the approval of any application for disability retirement unless all previously refunded contributions from the system have been repaid by the applicant.

Present law (R.S. 11:2223(B)) provides for a disability retirement benefit for members of MPERS who become totally and permanently disabled. Provides for two types of disability retirement:

(1) In the line of duty - For injuries sustained in the performance of his official duties, a member, regardless of how many years of service he has, shall receive a benefit of 40% of his Final Average Compensation (FAC) plus a supplemental benefit of 3% of FAC for every year of service in excess of 13.33 years.

(2) Not in the line of duty - For injuries not sustained in the performance of his official duties, a member with at least 10 years of service credit, shall receive a benefit of 3% of his FAC x years of service, which shall not be less than 40% of his FAC nor more than 60% of his FAC.

Present law (R.S. 11:2220(C)) allows any member who withdraws from MPERS to receive a refund of his employee contributions without interest.

Proposed law provides that no application for disability retirement shall be approved until all refunds of contributions have been repaid to the system with interest at the system's valuation interest rate.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 11:2223(B)(5))

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