

Regular Session, 2012

HOUSE BILL NO. 38

BY REPRESENTATIVE JONES

RETIREMENT SYSTEMS: Provides relative to certain rehired retirees

1 AN ACT

2 To enact R.S. 11:142(M), relative to the payment of retirement benefits; to provide for
3 reports when such benefits should be stopped; to provide relative to the recovery of
4 erroneously paid benefits; and to provide for related matters.

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

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 11:142(M) is hereby enacted to read as follows:

10 §142. Reciprocal recognition of credited service in state, parochial, and municipal
11 systems

12 * * *

13 M. In the event a retired member covered by the provisions of this Section
14 returns to active service in any state, municipal, or parochial system, the system in
15 which the retiree becomes a member by virtue of the return shall be responsible for
16 notifying all other retirement systems in which credit may be held by the member so
17 that any benefit payments otherwise due can be stopped pursuant to Subsection D of
18 this Section.

19 Section 2. Notwithstanding any provision of law to the contrary, any retired member
20 of the Municipal Employees' Retirement System who paid into that system for at least fifteen

1 years and who was also a member of the Louisiana State Employees' Retirement System and
2 paid into that system for at least three and one-half years and who retired under a reciprocal
3 retirement agreement with said systems prior to the effective date of this Act and who
4 erroneously received retirement benefits while reemployed shall not be required to refund
5 such erroneously received retirement benefits to any system.

6 Section 3. This Act shall become effective upon signature by the governor or, if not
7 signed by the governor, upon expiration of the time for bills to become law without signature
8 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
9 vetoed by the governor and subsequently approved by the legislature, this Act shall become
10 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)]

Jones

HB No. 38

Abstract: Requires retirement systems to notify each other when certain retirees return to work.

Present law authorizes a member of a retirement system or an eligible survivor of a member of a retirement system to combine years of service in different state, municipal, and parochial systems so that the employee or survivor may attain eligibility for retirement, disability, or survivor benefits.

Present law provides that each employer shall pay the benefits due to the employee for credit in such employer's system. Further provides that no employee who retires under a reciprocal recognition of benefits agreement shall receive benefits from any system while he is reemployed in a state, municipal, or parochial system.

Proposed law provides in the event a retiree under the provisions of present law returns to active service in any state, municipal, or parochial system, then the hiring system is responsible for notifying all other retirement systems in which credit may be held by the member so that any benefit payments otherwise due can be stopped.

Proposed law further provides that any class of persons who meet certain criteria established in proposed law shall not have to pay back benefits received in error.

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

(Adds R.S. 11:142(M))