

Existing law (R.S. 11:62) establishes the employee contribution rates for members of the 13 state and statewide retirement systems.

Existing law, for the District Attorneys' Retirement System (DARS), establishes the employee contribution rate at 7% of pay. New law increases this employee contribution rate from 7% to 8%.

Existing law (R.S. 11:1581) defines "average final compensation" as the average monthly compensation earned during the highest paid consecutive months of employment. Prior law provided that average final compensation was based on 36 months of employment. New law provides that it is based on 60 months.

Existing law authorizes nonstate compensation to be included in a member's average monthly compensation. Existing law caps increases in the amount of nonstate compensation that may be considered as average final compensation; nonstate compensation in any 12-month period of the average final compensation period may not exceed 110% of the nonstate compensation in the previous 12-month period. New law extends the 110% nonstate contribution cap in existing law through the full 60-month "average final compensation" period.

Existing law (R.S. 11:1631) allows a retired member to be reemployed by certain district attorneys. The member's retirement benefit is suspended during such reemployment. Upon reemployment, the member becomes an active contributing member of DARS once again, and he shall accrue credit towards a supplemental benefit.

Existing law provides that if a reemployed member continues in reemployment for less than the length of the final average compensation period, his supplemental benefit shall equal the benefit calculated under applicable existing law and the lesser of his average final compensation at his original retirement date or his average compensation during the period of his subsequent employment. Existing law provides that if a reemployed member continues in reemployment for longer than this period, his supplemental benefit shall equal the benefit calculated under applicable existing law and his average final compensation during his period of reemployment. New law changes the reemployment period that distinguishes these calculations from 36 months to 60 months.

Existing law provides for payment of survivor benefits in certain circumstances.

New law authorizes the spouse of an active contributing member who dies to receive survivor benefits as if the deceased member had retired and elected certain Back-DROP benefits.

New law further provides for transitional application of the change from 36-month to 60-month average final compensation for members enrolled in the system on the effective date of the Act. If such a member elects to retire between Jan. 1, 2013, and Dec. 31, 2014, his average final compensation shall be calculated based on 36 months + one month for each month past Jan. 1, 2013, he worked. Further provides that no current member shall receive less of a benefit under the 60-month average final compensation calculation than he would have under the 36-month calculation.

Effective January 1, 2013.

(Amends R.S. 11:62(12), 1581(5), and 1631(F)(1); Adds R.S. 11:1636(C))