SENATE BILL NO. 2

BY SENATOR MILLS

12

13

14

15

16

17

18

19

20

21

22

1	AN ACT
2	To amend and reenact R.S. 11:446(F), 450(B), and 471.1(G) and to enact R.S. 11:1903(F)
3	relative to retirement benefits of public employees hired after a certain date; to
4	provide for participation, options, contributions, and eligibility; to provide for
5	technical corrections; to provide for an effective date; and to provide for related
6	matters.
7	Notice of intention to introduce this Act has been published.
8	Be it enacted by the Legislature of Louisiana:
9	Section 1. R.S. 11:446(F), 450(B), and 471.1(G) are hereby amended and reenacted
10	and R.S. 11:1903(F) is hereby enacted to read as follows:
11	§446. Mode of payment where option elected

F. If the member is married, the designated beneficiary for a qualified joint and survivor annuity and any Deferred Retirement Option Plan benefits payable in accordance with law shall be his spouse, unless such spouse has consented to the contrary in writing before a notary public, or such spouse cannot be located and the member submits an original affidavit signed by him before a notary public which evidences good faith efforts to locate the spouse. If the member does not select a joint and survivor annuity option and fails to provide such a spousal consent at the time of his retirement and his spouse survives him, then for the purposes of a retirement benefit option the system shall establish the benefit as if the member had selected the Option 3 joint and survivor annuity as provided in Paragraph (3) of

SB NO. 2	ENROLLED
----------	----------

Subsection (A)(3) of this Section. For purposes of this Paragraph, "spouse" shall
mean that person who is married to the member under a legal regime of community
of acquets and gains on his effective date of retirement or effective date of
participation in the Deferred Retirement Option Plan, whichever is earlier.

* * *

§450. Termination of participation

7 * * *

1

2

3

4

5

6

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

29

B. Upon termination of participation in the plan but not employment, credits to the account shall cease and no retirement benefits shall be paid to the participant until employment is terminated. The balance in the participant's subaccount shall be placed in a self-directed subaccount in the name of the participant as provided for in R.S. 11:451.1, and the participant shall then be bound by the provisions of said that Section. No payment shall be made based on credits in the subaccount until employment is terminated as defined in this Section. The participant may continue employment after termination of participation in the plan for the sole purpose of accruing a supplemental benefit, and employer and employee contributions shall resume. Correction officers, probation and parole officers, and security officers of the Department of Public Safety and Corrections; peace officers of the Department of Public Safety and Corrections, office of state police, other than state troopers, as provided in R.S. 11:444(A)(2)(b); and personnel employed by the Department of Revenue, office of alcohol and tobacco control, as provided in R.S. 11:444(A)(2)(c), **Participants** who have ended their participation in the Deferred Retirement Option Plan but not employment shall make contributions at the rate established in R.S. 11:62(5)(b).

25 * * *

§471.1. Survivors' benefits; members hired on or after January 1, 2011

27 * * *

G. If a member dies, even after retirement, eligible minor children shall receive the benefits under Subsection C of this Section.

30 * * *

SB NO. 2 ENROLLED

1	§1903. Admission of taxing districts; district indigent defender programs; soil and
2	water conservation districts
3	* * *
4	F. Notwithstanding any provision of this Chapter to the contrary, a
5	hospital service district located in a parish with a total population between
6	seventy thousand and eighty thousand persons as of the latest federal decennial
7	census may terminate coverage for employees of the district first hired on or
8	after January 1, 2015, as further provided in this Subsection.
9	(1) If any plan entered into by a hospital district under this Section is
10	prospectively terminated, the hospital district which prospectively terminates
11	its plan may not again begin participation for new employees in the system
12	pursuant to this Section, unless approved by the board of trustees.
13	(2) Prospective termination of a plan shall follow all notice and any other
14	requirements of termination provided for in the plan agreement.
15	(3) If, pursuant to this Subsection, an employer terminates its agreement
16	for coverage of its employees first hired after the effective date of the
17	termination, the employer shall remit to the system that portion of the unfunded
18	actuarial accrued liability, if any, which is attributable to the employer's
19	termination. The amount required to be remitted pursuant to this Paragraph
20	shall be determined as of the December thirty-first immediately prior to the
21	date of termination. Such determination shall be made using the entry age
22	normal actuarial funding method.
23	(4) The amount due shall be determined by the actuary employed by the
24	system and shall either be paid in a lump sum or amortized over ten years in
25	equal monthly payments with interest at the system's actuarial valuation rate
26	in the same manner as regular payroll payments to the system, at the option of
27	the employer.
28	(5) Should the employer fail to make payment timely, the amount due
29	shall be collected in the same manner as authorized by Subsection D of this
30	Section and R.S. 11:2014.

Section 2. This Act shall become effective on January 1, 2015; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on January 1, 2015, or on the day following such approval by the legislature, whichever is later.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

ENROLLED

SB NO. 2

APPROVED: _____