

2016 Regular Session

HOUSE BILL NO. 25

BY REPRESENTATIVE MONTOUCET

RETIREMENT/FIREFIGHTERS: Provides relative to the reemployment of retirees of the Firefighters' Retirement System

1 AN ACT

2 To amend and reenact R.S. 11:2256(A)(5), relative to the reemployment of retirees of the  
3 Firefighter's Retirement System; to provide relative to the circumstances under  
4 which retirement benefits cease and contributions to the retirement system resume;  
5 and to provide for related matters.

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

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 11:2256(A)(5) is hereby amended and reenacted to read as follows:

11 §2256. Benefits; refund of contributions, application, and payment

12 A.

13 \* \* \*

14 (5) Upon returning to work ~~as a full-time employee~~ in any capacity for a fire  
15 department covered by this system, whether or not the position of employment is  
16 covered by this system, retirement benefits shall cease, and if reemployment is on  
17 a full-time basis, the employee and employer shall contribute to the system towards  
18 creditable service. The member may not change the option which was selected under  
19 the first retirement computation.

20 \* \* \*

1 Section 2. The provisions of this Act do not apply to a retiree who was reemployed  
2 and receiving retirement benefits on the effective date of this Act for the duration of such  
3 employment.

4 Section 3. This Act shall become effective upon signature by the governor or, if not  
5 signed by the governor, upon expiration of the time for bills to become law without signature  
6 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
7 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
8 effective on the day following such approval.

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#### 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)]

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HB 25 Engrossed

2016 Regular Session

Montoucet

**Abstract:** Relative to the Firefighters' Retirement System (FRS), expands the applicability of the requirement that retirement benefits be suspended upon rehiring to cover *all* positions of employment for a fire department covered by the system.

Present law requires the FRS to suspend payment of retirement benefits and the resumption of employer and employee contribution to the retirement system if a retiree of the FRS returns to work as a full-time employee in a position covered by the system.

Proposed law requires such suspension of benefits and, if reemployment is on a full-time basis, resumption of contributions if a retiree returns to work in any capacity for a fire department whether or not the position is covered by the system.

Proposed law provides that proposed law does not apply to an employed retiree receiving retirement benefits on the effective date of the Act for the duration of such employment.

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

(Amends R.S. 11:2256(A)(5))

#### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Retirement to the original bill:

1. Add provision specifying that contributions resume only if the employee is reemployed on a full-time basis.