

Regular Session, 2012

HOUSE BILL NO. 1030

BY REPRESENTATIVE TALBOT

RETIREMENT/SCHOOL EMPS: Prohibits members of the La. School Employees' Retirement System from remaining in that system after taking a job that is covered by a different retirement system

1 AN ACT

2 To amend and reenact R.S. 11:1118 and 1120(A) and to enact R.S. 11:1120(C), relative to
3 certain members of the Louisiana School Employees' Retirement System; to provide
4 for termination of membership in certain circumstances; to provide limitations; to
5 provide for reinstatement; 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. 11:1118 and 1120(A) are hereby amended and reenacted and R.S.
11 11:1120(C) is hereby enacted to read as follows:

12 §1118. Other employment; membership

13 A. Notwithstanding any other provisions of law to the contrary, any active
14 contributing member of this system who prior to January 1, 2013, becomes engaged
15 in employment which would normally require him to join and become a member of
16 ~~any other~~ another public retirement system or fund shall have the option of joining
17 and becoming a member of such other public retirement system and thereby cease
18 to be a contributing member of this system. If he terminates the employment which
19 makes him eligible for membership in another public system or fund, he shall again

1 become an active contributing member of this system as a condition of employment
2 for as long as he is employed in a position which makes him eligible for membership
3 in this system.

4 B. Any active contributing member of this system who on or after January
5 1, 2013, becomes engaged in employment which would normally require him to join
6 and become a member of another public retirement system or fund shall cease to be
7 a contributing member of this system. If he terminates the employment which makes
8 him eligible for membership in another public system or fund, he shall again become
9 an active contributing member of this system as a condition of employment for as
10 long as he is employed in a position which makes him eligible for membership in
11 this system.

12 * * *

13 §1120. Members employed in other state or public employment

14 A. Notwithstanding any enrollment error occurring prior to January 1, 1992,
15 any person who prior to January 1, 2013, is a member of the Louisiana School
16 Employees' Retirement System, who has creditable membership service of at least
17 five years in this system, and who becomes employed in any other state or public
18 employment where he is no longer eligible for membership in this system but is
19 eligible for membership in the Teachers' Retirement System of Louisiana or the
20 Louisiana State Employees' Retirement System, shall have the right to remain a
21 member of this system in lieu of membership in the Teachers' Retirement System of
22 Louisiana or the Louisiana State Employees' Retirement System by filing a notice
23 of election to remain in this system, in writing, with the board of trustees within
24 thirty days after the effective date of employment. Such election shall be
25 irrevocable.

26 * * *

27 C. Any active contributing member of this system who on or after January
28 1, 2013, becomes employed in any other state or public employment where he is no
29 longer eligible for membership in this system shall cease to be an active contributing

1 member of this system. If he terminates the employment which makes him eligible
2 for membership in another public system or fund, he shall again become an active
3 contributing member of this system as a condition of employment for as long as he
4 is employed in a position which makes him eligible for membership in this system.

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)]

Talbot

HB No. 1030

Abstract: Prohibits an active contributing member of the La. School Employees' Retirement System (LSERS) from remaining in the system if the member obtains employment covered by another retirement system. Requires the member to rejoin LSERS if he becomes employed once again in a position covered by LSERS.

Present law for LSERS (R.S. 11:1118) permits any member of the system to elect to leave LSERS if he obtains employment that is covered by another public retirement system.

Proposed law, starting Jan. 1, 2013, prohibits a member from staying in LSERS upon obtaining employment that is covered by another public retirement system.

Present law requires a member to reenter LSERS upon obtaining employment covered by the system. Proposed law retains present law.

Present law for LSERS (R.S. 11:1120) authorizes any member of LSERS who has at least five years of creditable service with the system to stay in LSERS if he is employed in a position that is covered by the Teachers' Retirement System of La. (TRSL) or the La. State Employees' Retirement System (LASERS).

Proposed law, starting Jan. 1, 2013, prohibits a member from staying in LSERS upon obtaining employment that is covered by another public retirement system.

(Amends R.S. 11:1118 and 1120(A); Adds R.S. 11:1120(C))