

Regular Session, 2012

HOUSE BILL NO. 28

BY REPRESENTATIVE PEARSON

RETIREMENT/MUNICIPAL POL: Provides relative to employees of the Municipal Police Employees' Retirement System

1 AN ACT

2 To amend and reenact R.S. 11:2213(11), relative to definitions for the Municipal Police  
3 Employees' Retirement System; to provide for classifications of employees eligible  
4 to enter the system; 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. 11:2213(11) is hereby amended and reenacted to read as follows:

10 §2213. Definitions

11 The following words and phrases, as used in this Subpart, unless a different  
12 meaning is plainly required by context, shall have the following meaning:

13 \* \* \*

14 (11)(a) "Employee" shall mean any of the following classifications of  
15 persons hired on or before June 30, 2012:

16 ~~(a)~~(i)(aa) Any full-time police officer, empowered to make arrests.

17 ~~(ii)~~ (bb) Any full-time police officer, decommissioned due to illness or  
18 injury, employed by a municipality of the state of Louisiana, and engaged in law  
19 enforcement.

1           ~~(iii)~~ (cc) Any person in a position as defined in the municipal fire and police  
2 civil service system who is employed on a full-time basis by a police department of  
3 any municipality of this state, who is under the direction of a chief of police, and  
4 who is paid from the budget of the applicable police department.

5           ~~(iv)~~ (dd) Any person listed in this ~~Subparagraph~~ Item shall only be defined  
6 as an employee if he is earning at least three hundred seventy-five dollars per month  
7 excluding state supplemental pay.

8           ~~(b)~~ (ii) Any elected chief of police whose salary is at least one hundred  
9 dollars per month.

10           ~~(c)~~ (iii) Any academy recruit, who shall be defined as a full-time municipal  
11 employee, who is participating in, or who is awaiting participation in, a formal  
12 training program as required by Peace Officer Standards and Training Certification,  
13 previous to commission as a municipal police officer, with complete law  
14 enforcement officer authority.

15           ~~(d)~~ (iv) Any full-time secretary to an appointed chief or elected chief of  
16 police.

17           ~~(e)~~ (v) Any full-time employee of this system.

18           ~~(f)~~ (vi) Employee shall not mean a city or ward marshal or deputy marshal,  
19 nor shall this term be construed to include any elected councilman or mayor of any  
20 city.

21           (b) "Employee" shall mean any of the following classifications of persons  
22 hired on or after July 1, 2012:

23           (i)(aa) Any full-time police officer, empowered to make arrests, who is under  
24 the direction of a chief of police, and who is paid from the budget of the applicable  
25 police department.

26           (bb) Any full-time police officer, decommissioned due to illness or injury,  
27 employed by a municipality of the state of Louisiana, and engaged in law  
28 enforcement, who is under the direction of a chief of police, and who is paid from  
29 the budget of the applicable police department.

1           (cc) Any person listed in this Item shall only be defined as an employee if  
2           he is earning at least three hundred seventy-five dollars per month excluding state  
3           supplemental pay.

4           (ii) Any elected chief of police whose salary is at least one hundred dollars  
5           per month.

6           (iii) Any academy recruit, who shall be defined as a full-time municipal  
7           employee, who is participating in, or who is awaiting participation in, a formal  
8           training program as required by Peace Officer Standards and Training Certification,  
9           previous to commission as a municipal police officer, with complete law  
10           enforcement officer authority.

11           (iv) Any full-time secretary to an appointed chief or elected chief of police.

12           (v) Any full-time employee of this system.

13           (vi) Employee shall not mean a city or ward marshal or deputy marshal, nor  
14           shall this term be construed to include any elected councilman or mayor of any city.

15                                   \*       \*       \*

16           Section 2. This Act shall become effective on July 1, 2012; if vetoed by the governor  
17 and subsequently approved by the legislature, this Act shall become effective on July 1,  
18 2012, or on the day following such approval by the legislature, whichever is later.

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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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Pearson

HB No. 28

**Abstract:** Provides relative to membership in the Municipal Police Employees' Retirement System (MPERS).

Present law provides definitions for the laws relative to the MPERS system. Proposed law retains present law.

Present law provides a definition of "employee" in order to establish classes of individuals eligible to become members of the system. (Present law provides further criteria for membership beyond these broad classes.)

Under present law, the following classes of people are eligible to enter MPERS:

- (1) Any full-time police officer, empowered to make arrests and earning at least \$375/month (exclusive of state supplemental pay).
- (2) Any full-time police officer, decommissioned due to illness or injury, who is employed by a municipality of the state of La. and engaged in law enforcement, who is earning at least \$375/month (exclusive of state supplemental pay).
- (3) Any person employed by municipal police department in a position classified by municipal fire and police civil service as full time, which person is under the direction of a chief of police and who is paid from the police department budget and earning at least \$375/month (exclusive of state supplemental pay).
- (4) Any elected chief of police whose salary is at least \$100/month.
- (5) Any academy recruit who meets certain criteria established in present law.
- (6) Any full-time secretary to an appointed or elected chief of police.
- (7) Any full-time employee of the MPERS system.

Present law specifically excludes city or ward marshalls and deputy marshalls, elected councilmen, and mayors.

Proposed law makes present law applicable only to those individuals hired on or before June 30, 2012.

Proposed law changes the definition of "employee" for individuals hired on or after July 1, 2012. Proposed law excludes any person employed by municipal police department in a position classified by municipal fire and police civil service as full time, which person is under the direction of a chief of police and who is paid from the police department budget and earning at least \$375/month (exclusive of state supplemental pay). Proposed law otherwise retains present law.

Effective July 1, 2012.

(Amends R.S. 11:2213(11))