

2022 Regular Session

HOUSE BILL NO. 31

BY REPRESENTATIVE TARVER

RETIREMENT/STATE SYSTEMS: (Constitutional Amendment) Dedicates a certain amount of state nonrecurring revenue to state retirement systems for supplemental benefit payments

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A JOINT RESOLUTION

Proposing to add Article VII, Section 10(D)(2)(g) of the Constitution of Louisiana, to authorize the use of nonrecurring revenue to make supplemental benefit payments to retirees, beneficiaries, or survivors of state retirement systems; to provide for the amount of such lump sum payments; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Notice of intention to introduce this Act has been published as provided by Article III, Section 13 and Article X, Section 29(C) of the Constitution of Louisiana.

Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members elected to each house concurring, that there shall be submitted to the electors of the state of Louisiana, for their approval or rejection in the manner provided by law, a proposal to add Article VII, Section 10(D)(2)(g) of the Constitution of Louisiana, to read as follows:

§10. Expenditure of State Funds

\* \* \*  
(D) Appropriations.  
\* \* \*

1 (2) Except as otherwise provided in this constitution, the appropriation or  
2 allocation of any money designated in the official forecast as nonrecurring shall be  
3 made only for the following purposes:

4 \* \* \*

5 (g) Providing a non-recurring lump-sum payment to eligible recipients of  
6 state retirement systems. The amount of the payment shall be calculated by dividing  
7 the total appropriated amount by the total number of eligible recipients. For the  
8 purposes of this Subsubparagraph, the term "eligible recipients" means retirees,  
9 beneficiaries, and survivors who were receiving benefits from the system as of June  
10 thirtieth of the prior fiscal year. The legislature may provide by law for certification  
11 to the legislature of the number of eligible recipients there are in each system and the  
12 total number of eligible recipients pursuant to the provisions of this  
13 Subsubparagraph.

14 \* \* \*

15 Section 2. Be it further resolved that this proposed amendment shall be submitted  
16 to the electors of the state of Louisiana at the statewide election to be held on November 8,  
17 2022.

18 Section 3. Be it further resolved that on the official ballot to be used at the election,  
19 there shall be printed a proposition, upon which the electors of the state shall be permitted  
20 to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as  
21 follows:

22 Do you support an amendment to authorize the use of any money designated  
23 as nonrecurring state revenue to pay supplemental retirement benefits to  
24 retired state employees and their beneficiaries and survivors? (Adds Article  
25 VII, Section 10(D)(2)(g))

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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 31 Re-Reengrossed

2022 Regular Session

Tarver

**Abstract:** Authorizes the use of nonrecurring state revenue for payment of a nonrecurring, lump-sum payment to certain retirees, beneficiaries, and survivors of the four state retirement systems.

Present constitution limits the ability of the legislature to spend state nonrecurring revenue to particular items. Proposed constitutional amendment retains present constitution.

Proposed constitutional amendment authorizes use of nonrecurring state revenue to pay a nonrecurring, lump-sum payment to retirees, beneficiaries, and survivors receiving a benefit from the four state retirement systems: La. State Employees' Retirement System, Teachers' Retirement System of La., La. School Employees' Retirement System, and the La. State Police Retirement System.

Proposed constitutional amendment provides the retiree, beneficiary, or survivor must have been receiving a benefit by June 30th of the previous fiscal year in order to be eligible for such lump sum payment. Further provides for calculation of the lump-sum payment amount and authorizes the legislature to provide by law for certification to the legislature of the number of eligible recipients at each system.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Nov. 8, 2022.

(Adds Const. Art. VII, §10(D)(2)(g))

Summary of Amendments Adopted by House

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

1. Remove requirement that legislature appropriate a maximum of \$50,000,000 of nonrecurring revenue each year for payment of the benefits provided in proposed constitutional amendment.
2. Make technical changes.

The Committee Amendments Proposed by House Committee on Civil Law and Procedure to the engrossed bill:

1. Change the ballot language.