Regular Session, 2010

HOUSE BILL NO. 330

BY REPRESENTATIVE PEARSON

RETIREMENT/PUBLIC OFFLS: Prohibits membership of certain part-time public officials in public retirement systems

1	AN ACT
2	To amend and reenact R.S. 11:164(B), relative to certain part-time public servants; to
3	prohibit membership in public retirement systems for such persons; to provide for
4	an effective date; 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. 11:164(B) is hereby amended and reenacted to read as follows:
10	§164. Part-time public officials
11	* * *
12	B.(1) The provisions of Subsection A of this Section shall not apply to any
13	person who is serving on January 1, 1997, in any elected or appointed position set
14	forth in Subsection A of this Section and who is also a member on January 1, 1997,
15	of a retirement system covering that position.
16	(2) No person to whom Paragraph (1) of this Subsection applies shall
17	participate in or receive credit for service in any public retirement system, fund, or
18	plan sponsored by the state of Louisiana or any instrumentality or political
19	subdivision thereof upon being elected or appointed to a position set forth in

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

- 1 <u>Subsection A of this Section on or after January 1, 2011, unless he was serving in</u>
- 2 <u>any such position on December 31, 2010.</u>
- 3 * *
- 4 Section 2. This Act shall take effect and become operative if and when the proposed

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- 5 amendment of Article X of the Constitution of Louisiana contained in the Act which
- 6 originated as House Bill No. 329 of this 2010 Regular Session of the Legislature is adopted

7 at a statewide election to be held in 2010 and becomes effective.

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)]

Pearson

HB No. 330

Abstract: Relative to public retirement systems, prohibits part-time elected or appointed officials who were grandfathered into public retirement systems on Jan. 1, 1997, from becoming members of such retirement systems on or after Jan. 1, 2011, unless such persons were serving in part-time elected or appointed positions on Dec. 31, 2010.

<u>Present law</u> prohibits a "part-time" elected or appointed official from being a member of a public retirement plan unless he was serving in such position on Jan. 1, 1997. Defines "part-time" officials as:

- (1) Legislators, school board, levee board, policy jury, and parish council members.
- (2) City council, city-parish council, or town council members, aldermen, and constables.
- (3) Members of boards or commissions.

<u>Proposed constitution</u> prohibits part-time public officials who were grandfathered into public retirement systems on Jan. 1, 1997, pursuant to <u>present law</u>, from becoming members of such retirement systems on or after Jan. 1, 2011, unless such persons were serving in part-time elected or appointed positions on Dec. 31, 2010.

Effective if and when the proposed amendment of Article X of the Const. of La. contained in the Act which originated as House Bill No. 329 of this 2010 R.S. is adopted at a statewide election and becomes effective.

(Amends R.S. 11:164(B))