

Regular Session, 2011

HOUSE BILL NO. 397

BY REPRESENTATIVE HUVAL AND SENATOR MILLS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

MUNICIPALITIES: Provides relative to mandatory retirement in certain municipalities

1 AN ACT

2 To enact R.S. 11:133(B)(3), relative to the compulsory retirement of certain public  
3 employees; to provide that certain public employees shall be subject to compulsory  
4 retirement at a certain age in certain municipalities; to authorize the continuation of  
5 service of such employees under certain circumstances; and to provide for related  
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 11:133(B)(3) is hereby enacted to read as follows:

9 §133. Compulsory retirement prohibited; exceptions

10 \* \* \*

11 B.

12 \* \* \*

13 (3) Notwithstanding the provisions of Paragraph (2) of this Subsection, the  
14 provisions of Paragraph (1) of this Subsection shall apply to a municipality having  
15 a population of not more than six thousand one hundred thirty and not less than six  
16 thousand one hundred thirteen persons according to the most recent federal decennial  
17 census.

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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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Huval

HB No. 397

**Abstract:** Provides relative to compulsory retirement in certain municipalities.

Present law provides that no employee of any public entity shall be separated from the public service by his appointing authority because he has attained any particular age following employment by the appointing authority.

Proposed law creates an exception for municipalities having a population between 6,113-6,130, providing that certain law enforcement personnel and firefighters who have reached the age of 65 shall be separated from public service by their appointing authority. Provides, however, that in any case in which the appointing authority certifies that an employee's continuance would be advantageous to the public service due to his expert knowledge and qualifications, the appointing authority may continue the employee in public service beyond age 65 for periods of one year.

(Adds R.S. 11:133(B)(3))