

Regular Session, 2012

SENATE BILL NO. 29

BY SENATOR CORTEZ

SCHOOL EMPLOYEES RET. Provides relative to benefits for members of the Louisiana School Employees' Retirement System. (6/30/12)

1 AN ACT

2 To amend and reenact R.S. 11:1116, 1133, 1137, 1141(A), 1144(A)(1), (2), (3) and (4),  
3 relative to the Louisiana School Employees' Retirement System; to provide relative  
4 to membership, contributions, eligibility for and calculation of benefits; to provide  
5 for an effective date; and to provide for related matters.

6 Notice of intention to introduce this Act has been published.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 11:1116, 1133, 1137, 1141(A), 1144(A)(1), (2), (3) and (4) are hereby  
9 amended and reenacted as follows:

10 §1116. Membership compulsory for employees employed after August 1, 1962

11 All persons who become employees, as defined in R.S. 11:1002, on or after  
12 August 1, 1962, may become members of this system during the first ninety calendar  
13 days immediately following the date of employment, and shall become members on  
14 the ninety-first calendar day following the date of employment as a condition of ~~their~~  
15 employment. ~~All employees~~ **Any employee** who ~~were~~ **was** employed prior to August  
16 1, 1962, shall be governed by and have the benefit of all existing applicable laws.

17 \* \* \*

1 §1133. Credit for service as a defined "employee"

2 Any member of the Louisiana School Employees' Retirement System may  
3 receive credit for service as an employee, as defined in R.S. 11:1002, provided credit  
4 granted in another public supported retirement system covering the same time is not  
5 in effect and provided he or she meets the requirements set forth below:

6 \* \* \*

7 §1137. Credit for service as an employee

8 Any active, contributing member of this system may receive credit for service  
9 rendered as an employee, for which credit is not maintained in any other publicly  
10 supported retirement system. In order to receive credit for such service, payment  
11 shall be made to the retirement system of an amount calculated in accordance with  
12 the provisions of R.S. 11:158; however, the member shall have rendered service as  
13 an employee for a minimum of ninety days and shall purchase a minimum of ninety  
14 days' service in order to avail himself or herself of the provisions of this Section.  
15 The amount of service credit shall be limited to the actual number of days the  
16 member was employed by a school board. Credit shall only be allowed for service  
17 for which the school board maintained a record, and for which the school board  
18 certifies the correctness thereof to the retirement system. All payments to be made  
19 under this Section shall be paid prior to the effective date of retirement.

20 \* \* \*

21 §1141. Retirement benefits; application; eligibility requirements; effective date;  
22 cancellation

23 A. Any member whose first employment making him or her eligible for  
24 membership in one of the state systems occurred on or before June 30, 2010, may  
25 retire upon written application to the board of trustees, if the member at the time of  
26 application has attained the age of sixty years and has credit for ten years of  
27 accredited service or has attained the age of fifty-five years and has credit for  
28 twenty-five or more years of accredited service or at any age with thirty or more  
29 years of accredited service. Any member whose first employment making him

1 eligible for membership in one of the state systems occurred on or after July 1, 2010,  
2 may retire upon written application to the board of trustees, if the member at the time  
3 of application has attained the age of sixty years and has credit for five years of  
4 accredited service. An application for retirement shall be officially filed with the  
5 board when received in the office of the director. Retirement benefits shall become  
6 effective as of the date an application for retirement is filed in the office of the  
7 director or the day after the member terminates from service, whichever is later. A  
8 member may cancel his application for retirement only prior to negotiating, cashing,  
9 or depositing any benefit check including an estimated benefit check.

10 \* \* \*

11 §1144. Retirement allowance; regular, minimum, and supplemental

12 A. Regular allowance. Upon service retirement, a member shall receive an  
13 allowance which, with the exception of the minimum benefit, and, also, with the  
14 exception of the supplementary benefit which benefits are hereinafter provided for,  
15 shall consist of:

16 (1) An annuity which shall be the actuarial equivalent of his **or her**  
17 accumulated contributions at the time of his **or her** retirement.

18 (2) A pension equal to the annuity allowable at his **or her** attained age  
19 computed on the basis of contributions made prior to his **or her** retirement, plus the  
20 sum of three hundred dollars; however, the referenced additional sum of three  
21 hundred dollars shall only be applicable with respect to persons becoming members  
22 prior to July 1, 1986.

23 (3) If he **or she** has a prior service certificate in full force and effect, a prior  
24 service pension which shall be in the amount of one and one-half per cent of his **or**  
25 **her** average compensation multiplied by the number of years of his **or her** accredited  
26 prior service. The average compensation shall be the average of the compensation  
27 for personal services for any five consecutive years of accredited service, at the  
28 option of the member; and provided, further, that in computing the pension for prior  
29 service credit, any annual compensation less than fifteen hundred dollars shall be

