

Regular Session, 2010

HOUSE BILL NO. 329

BY REPRESENTATIVE PEARSON

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

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A JOINT RESOLUTION

Proposing to amend Article X, Section 29.1(B) of the Constitution of Louisiana, to provide relative to certain part-time public servants; to prohibit membership in public retirement systems for such persons; 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 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 amend Article X, Section 29.1(B) of the Constitution of Louisiana, to read as follows:

§29.1. Part-time Public Officials

Section 29.1.

* * *

~~(B)(1)~~ The provisions of Paragraph (A) shall not apply to any person who is serving on January 1, 1997, in any elected or appointed position set forth in Paragraph (A) and who is also a member on January 1, 1997, of a retirement system covering that position.

1 (2) No person to whom Subparagraph (1) of this Paragraph applies, shall
 2 participate in or receive credit for service in any public retirement system, fund, or
 3 plan sponsored by the state of Louisiana or any instrumentality or political
 4 subdivision thereof upon being elected or appointed to a position set forth in
 5 Paragraph (A) of this Section on or after January 1, 2011, unless he was serving in
 6 any such position on December 31, 2010.

7 Section 2. Be it further resolved that this proposed amendment shall be submitted
 8 to the electors of the state of Louisiana at the statewide election to be held on November 2,
 9 2010.

10 Section 3. Be it further resolved that on the official ballot to be used at said election
 11 there shall be printed a proposition, upon which the electors of the state shall be permitted
 12 to vote FOR or AGAINST, to amend the Constitution of Louisiana, which proposition shall
 13 read as follows:

14 To prohibit certain part-time elected or appointed officials who were eligible
 15 for membership in public retirement systems on January 1, 1997, from again
 16 becoming members of such retirement systems on or after January 1, 2011.

17 (Amends Article X, Section 29.1(B))

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. 329

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.

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

- (1) Legislators, school board, levee board, police jury, and parish council members.
- (2) City council, city-parish council, town council members, aldermen, and constables.
- (3) Members of boards or commissions created by a 2/3 vote of the legislature.

- (4) Persons serving in elected or appointed positions defined as "part-time" by law enacted by 2/3 vote of the legislature.

Proposed constitutional amendment prohibits part-time public officials who were grandfathered into public retirement systems on Jan. 1, 1997, pursuant to present constitution, 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.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Nov. 2, 2010.

(Amends Const. Art. X, §29.1(B))