

SENATE BILL NO. 36

BY SENATOR GUILLORY

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AN ACT

To enact R.S. 11:1755(G), 1769(F), 1785(D), and 1805(C), relative to Municipal Employees' Retirement System of Louisiana; to provide for compliance with applicable federal tax qualification requirements; to provide an effective date; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 11:1755(G), 1769(F), 1785(D), and 1805(C) are hereby enacted to read as follows:

§1755. Creditable service; service certificate; adjusted service date; repayment of withdrawn contributions

* * *

G. The qualified military service of a member who has been reemployed under the terms of Section 414(u) of the United States Internal Revenue Code shall be treated, for vesting and benefit accrual purposes, as service completed under this Section, provided the member timely remits to the system any employee contributions which would have been required but for the member's leave of absence to perform qualified military service, in accordance with the terms of federal law.

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§1769. Internal Revenue Code; qualification requirements

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F. As of January 1, 2012, any and all amendments required primarily for the purpose of maintaining continued compliance with the United States Internal Revenue Code and the regulations thereunder that do not require

1 legislative action shall be enacted through the Louisiana Administrative Code.

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3 §1785. Survivor benefits; eligibility

4 * * *

5 D. Effective January 1, 2007, in the case of a member who dies while on
6 a leave of absence to perform qualified military service as described in Section
7 414(u) of the United States Internal Revenue Code, the member's beneficiary
8 shall be entitled to any benefits that would have been provided, except those
9 benefit accruals relating to the period of qualified military service, under the
10 plan had the member resumed and then terminated employment on account of
11 death, in accordance with Section 401(a)(37) of the United States Internal
12 Revenue Code. However, the member's beneficiary shall be entitled to benefit
13 accruals relating to the period of qualified military service provided the
14 member's beneficiary timely remits to the system any employee contributions
15 which would have been required but for the member's leave of absence to
16 perform qualified military service, in accordance with the terms of federal law
17 and R.S. 11:1755.

18 * * *

19 §1805. Survivor benefits; eligibility

20 * * *

21 C. Effective January 1, 2007, in the case of a member who dies while on
22 a leave of absence to perform qualified military service as described in Section
23 414(u) of the United States Internal Revenue Code, the member's beneficiary
24 shall be entitled to any benefits that would have been provided, except those
25 benefit accruals relating to the period of qualified military service, under the
26 plan had the member resumed and then terminated employment on account of
27 death, in accordance with Section 401(a)(37) of the United States Internal
28 Revenue Code. However, the member's beneficiary shall be entitled to benefit
29 accruals relating to the period of qualified military service provided the
30 member's beneficiary timely remits to the system any employee contributions

1 which would have been required but for the member's leave of absence to
2 perform qualified military service, in accordance with the terms of federal law
3 and R.S. 11:1755.

4 Section 2. This Act shall become effective on June 30, 2012; if vetoed by the
5 governor and subsequently approved by the legislature, this Act shall become effective on
6 June 30, 2012, or on the day following such approval by the legislature, whichever is later.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____