

SENATE BILL NO. 76

BY SENATOR B. GAUTREAUX

1 AN ACT

2 To amend and reenact R.S. 11:1903(A)(2), (5), and (6) and 1922(G) and to enact R.S.  
3 11:1903(A)(7), relative to the Parochial Employees' Retirement System; to provide  
4 relative to eligibility to participate in the system; to provide for requirements and  
5 limitations on such ability; to require a participating employer to extend benefits to  
6 all employees; to prohibit participation by certain employees whose employment is  
7 covered by another public system, plan, or fund; to specify that an employer with  
8 employees eligible for another public system, plan, or fund shall not be eligible to  
9 enter a participation agreement with this system; to provide for an effective date; and  
10 to provide for related matters.

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

12 Be it enacted by the Legislature of Louisiana:

13 Section 1. R.S. 11:1903(A)(2), (5), and (6) and 1922(G) are hereby amended and  
14 reenacted and R.S. 11:1903(A)(7) is hereby enacted to read as follows:

15 §1903. Admission of taxing districts; district indigent defender programs soil and  
16 water conservation districts

17 A. Any taxing district of a parish that qualifies as an employer pursuant to  
18 R.S. 11:1902(13) or any branch or section of a parish that qualifies as an employer  
19 pursuant to R.S. 11:1902(13) including a hospital district, water district, library,  
20 district indigent defender program in this state, or soil and water conservation district  
21 in this state is hereby authorized to submit for approval by the board of trustees a  
22 plan for extending the benefits of this Chapter to employees of such district. Each  
23 such plan or any amendment thereof shall be approved by the board of trustees if it  
24 finds that such plan, or such plan as amended, is in conformity with such  
25 requirements as are provided in regulations of the board of trustees, except that no  
26 such plan shall be approved unless:

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(2)(a) it provides that all services which are performed in the employ of the political subdivision or instrumentality, by any employees thereof, shall be covered by the plan; and

(b) it extends benefits to all employees of the political subdivision or instrumentality;

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(5) it provides that the political subdivision or instrumentality will make such reports, in such form and containing such information, as the board of trustees may from time to time require and comply with such provisions as the board of trustees may from time to time find necessary to assure the correctness and verification of such reports; and

(6) it authorizes the system to terminate the plan in its entirety in the discretion of the board of trustees if it finds that there has been a failure to comply substantially with any provision contained in such plan, such termination to take effect at the expiration of such notice and on such conditions as may be provided by regulations of the board of trustees; and

(7) none of the employees of the political subdivision or instrumentality are eligible to participate in another Louisiana public retirement or pension system, plan, or fund based on the employee's employment with the political subdivision or instrumentality.

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§1922. Persons not eligible for membership; persons becoming eligible for membership in other systems

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G. Any person who is ineligible for membership in the publicly funded retirement system covered by his employment because of his failure to meet ~~physical~~ requirements or qualifications shall not be eligible for membership in this system.

Section 2. Nothing in this Act shall affect agreements existing on or before the effective date of this Act.

1           Section 3. This Act shall become effective on July 1, 2010; if vetoed by the governor  
2           and subsequently approved by the legislature, this Act shall become effective on July 1,  
3           2010, or on the day following such approval by the legislature, whichever is later.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_