

ACT No. 298

2020 Regular Session

HOUSE BILL NO. 15

BY REPRESENTATIVE COUSSAN

1 AN ACT

2 To amend and reenact R.S. 11:1733(F), 1753(C), and 1923(C), relative to the Municipal
3 Employees' Retirement System of Louisiana and the Parochial Employees'
4 Retirement System of Louisiana; to provide with respect to membership of certain
5 employees in Lafayette; and to provide for related matters.

6 Notice of intention to introduce this Act has been published
7 as provided by Article III, Section 13 and Article X, Section
8 29(C) of the Constitution of Louisiana.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 11:1733(F), 1753(C), and 1923(C) are hereby amended and
11 reenacted to read as follows:

12 §1733. Agreement for coverage of employees of incorporated cities, towns, villages
13 and tax boards or commissions

14 * * *

15 F.(1)(a) Notwithstanding any other provision of law, if an employer
16 terminates its agreement for coverage of its employees, the employer shall remit that
17 portion of the unfunded accrued liability existing on June thirtieth immediately prior
18 to the date of termination which is attributable to the employer's participation in the
19 system.

20 (b) Notwithstanding any other provision of law, if an employer eliminates
21 an employee position or class of positions covered by this system by contracting with
22 a private entity for the work formerly done by employees in eliminated positions, the

1 employer shall remit that portion of the unfunded accrued liability existing on June
 2 thirtieth immediately prior to the date of privatization which is attributable to the
 3 eliminated position or class of positions.

4 (c)(i) Except as provided in Item (ii) of this Subparagraph and
 5 notwithstanding any other provision of law to the contrary, if an employer eliminates
 6 any position from system coverage, the employer shall remit that portion of the
 7 unfunded accrued liability existing on the June thirtieth immediately prior to the date
 8 of elimination which is attributable to the eliminated position.

9 (ii) If a position is eliminated from system coverage because the person
 10 occupying the position is laid off or if a vacant position is eliminated from system
 11 coverage, no payments pursuant to Item (i) shall be due; provided, however, that if
 12 any new position is established or an eliminated position is reestablished and the
 13 person employed to fill that position does not become a member of this system, the
 14 payments required by Item (i) of this Subparagraph shall be calculated and remitted
 15 as though the position had been eliminated from system coverage.

16 (2) When an employer terminates its agreement for coverage of its
 17 employees or eliminates a position or class of positions from system coverage for
 18 any reason, this system shall notify each other Louisiana state and statewide
 19 retirement system. If that employer enrolls an employee or class of employees in a
 20 system that received notice of termination or elimination from this system, that other
 21 system shall notify this system of the enrollment within fifteen days.

22 ~~(2)~~ (3) The amount due shall be determined by the actuary employed by the
 23 system using the entry age normal funding method and shall either be paid in a lump
 24 sum or amortized over ten years in equal monthly payments with interest at the
 25 system's actuarial valuation rate in the same manner as regular payroll payments to
 26 the system, at the option of the employer.

27 ~~(3)~~ (4) Should the employer fail to make a payment timely, the amount due
 28 shall be collected in the same manner as authorized by Subsection E of this Section
 29 and R.S. 11:1864.

30 * * *

1 §1753. Membership of employees after consolidation; Terrebonne Parish; Lafayette
2 Parish

3 * * *

4 C.(1) Notwithstanding any other provision of law to the contrary, including
5 Subsection A of this Section, any employee first employed on or after November 1,
6 2010, and prior to November 1, 2020, by any department created by the Home Rule
7 Charter for the Lafayette City-Parish Consolidated Government, other than
8 employees first employed by the police and fire departments who are enrolled in the
9 Municipal Police Employees' Retirement System or the Firefighters' Retirement
10 System, and any employee first employed on or after November 1, 2010, by the City
11 Court of Lafayette, inclusive of the office of marshal, but exclusive of the judges of
12 the city court, shall, as a condition of employment, become members of the
13 Municipal Employees' Retirement System of Louisiana if they otherwise satisfy the
14 membership eligibility requirements therefor.

15 (2) Notwithstanding any other provision of law to the contrary, any
16 employee first employed on or after November 1, 2020, by any department created
17 by the Home Rule Charter for the Lafayette City-Parish Consolidated Government,
18 other than employees first employed by the police and fire departments who are
19 enrolled in the Municipal Police Employees' Retirement System or the Firefighters'
20 Retirement System, and any employee first employed on or after November 1, 2020,
21 by the City Court of Lafayette, inclusive of the office of marshal but exclusive of the
22 judges of the city court, shall, as a condition of employment, become a member of
23 the Parochial Employees' Retirement System of Louisiana if he otherwise satisfies
24 the membership eligibility requirements therefor.

25 * * *

26 §1923. Membership of employees after consolidation; Terrebonne Parish; Lafayette
27 Parish

28 * * *

29 C.(1) Notwithstanding any other provision of law to the contrary, including
30 Subsection A of this Section, any employee first employed on or after November 1,

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 2010, and prior to November 1, 2020, by any department created by the Home Rule
 2 Charter for the Lafayette City-Parish Consolidated Government, other than
 3 employees hired by the police and fire departments who are enrolled in the
 4 Municipal Police Employees' Retirement System or the Firefighters' Retirement
 5 System, and any employee first employed on or after November 1, 2010, by the City
 6 Court of Lafayette, inclusive of the office of marshal, but exclusive of the judges of
 7 the city court, shall, as a condition of employment, become members of the
 8 Municipal Employees' Retirement System of Louisiana if they otherwise satisfy the
 9 membership eligibility requirements therefor.

10 (2) Notwithstanding any other provision of law to the contrary, any
 11 employee first employed on or after November 1, 2020, by any department created
 12 by the Home Rule Charter for the Lafayette City-Parish Consolidated Government,
 13 other than employees hired by the police and fire departments who are enrolled in
 14 the Municipal Police Employees' Retirement System or the Firefighters' Retirement
 15 System, and any employee first employed on or after November 1, 2020, by the City
 16 Court of Lafayette, inclusive of the office of marshal but exclusive of the judges of
 17 the city court, shall, as a condition of employment, become a member of the
 18 Parochial Employees' Retirement System of Louisiana if he otherwise satisfies the
 19 membership eligibility requirements therefor.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____