

SENATE BILL NO. 18

BY SENATOR GUILLORY

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AN ACT

To amend and reenact R.S. 11:4(A)(1)(d), 22(B)(12), 42(B)(10), 62(10), 102(B)(3)(d)(viii), 148(B), 154(A)(2), 158(B)(13), 162(A), 173(A)(2), 174(B)(2), 181(A)(4), 182(A)(1), 185(A)(4), 211(heading), 222(A), 223, 234(A)(12), 251, 262(12), 271(B)(12), 272(A)(2), 312(A)(12), 417(A) and (C), 516, 1301(1),(4), and (8), 1302(A)(introductory paragraph), 1305(A)(introductory paragraph) and (B), 1307(D)(1), 1307.1(A), 1329, 1345.1, and 1345.2(4), relative to the State Police Pension and Retirement System; to provide for technical corrections; to provide for 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. 11:4(A)(1)(d), 22(B)(12), 42(B)(10), 62(10), 102(B)(3)(d)(viii), 148(B), 154(A)(2), 158(B)(13), 162(A), 173(A)(2), 174(B)(2), 181(A)(4), 182(A)(1), 185(A)(4), 211(heading), 222(A), 223, 234(A)(12), 251, 262(12), 271(B)(12), 272(A)(2), 312(A)(12), 417(A) and (C), 516, 1301(1),(4), and (8), 1302(A)(introductory paragraph), 1305(A)(introductory paragraph) and (B), 1307(D)(1), 1307.1(A), 1329, 1345.1, and 1345.2(4) are hereby amended and reenacted to read as follows:

§4. Classifications of public retirement systems; state systems; statewide systems  
As used in this Title, unless the context clearly indicates otherwise, the following terms shall have the meanings ascribed to them:

A.(1) The term "state retirement system", "state system", or "state pension or retirement system, plan, or fund" shall mean one of the following:

\* \* \*

(d) Louisiana State Police ~~Pension and Retirement System~~.

\* \* \*

§22. Methods of actuarial valuation established

\* \* \*

1 B. The following funding methods shall be utilized to determine actuarially  
2 required contributions:

3 \* \* \*

4 (12) Louisiana State Police ~~Pension and~~ Retirement System: entry age  
5 normal.

6 \* \* \*

7 §42. Unfunded accrued liabilities; amortization

8 \* \* \*

9 B. The provisions of this Subsection shall be implemented and accomplished  
10 by the governing authorities of the state and statewide public retirement systems as  
11 set forth herein.

12 \* \* \*

13 (10) Louisiana State Police ~~Pension and~~ Retirement System. The unfunded  
14 accrued liability, as of June 30, 1988, determined under the funding method specified  
15 in R.S. 11:22(B)(12), shall be amortized over a twenty year period, commencing  
16 with the fiscal year 1989-1990, with level dollar payments annually.

17 \* \* \*

18 §62. Employee contribution rates established

19 Employee contributions to state and statewide public retirement systems shall  
20 be paid at the following rates, except as otherwise provided by law:

21 \* \* \*

22 (10) Louisiana State Police ~~Pension and~~ Retirement System:

23 \* \* \*

24 §102. Employer contributions; determination; state systems

25 \* \* \*

26 (B)(1) \* \* \*

27 (3) With respect to each state public retirement system, the actuarially  
28 required employer contribution for each fiscal year, commencing with Fiscal Year  
29 1989-1990, shall be that dollar amount equal to the sum of:

30 \* \* \*

1 (d) That fiscal year's payment, computed as of the first of that fiscal year and  
2 projected to the middle of that fiscal year at the actuarially assumed interest rate,  
3 necessary to amortize changes in actuarial liability due to:

4 \* \* \*

5 (viii) Effective July 1, 2009, and beginning with Fiscal Year 1992-1993, the  
6 amortization period for the changes, gains, or losses of the **Louisiana** State Police  
7 Pension and Retirement System provided in Items (i) through (iv) of this  
8 Subparagraph shall be thirty years, or in accordance with standards promulgated by  
9 the Governmental Accounting Standards Board, from the year in which the change,  
10 gain, or loss occurred. The outstanding balances of amortization bases established  
11 pursuant to Items (i) through (iv) of this Subparagraph before Fiscal Year 2008-  
12 2009, shall be amortized as a level dollar amount from July 1, 2009, through June 30,  
13 2029. Beginning with Fiscal Year 2008-2009, and for each fiscal year thereafter, the  
14 outstanding balances of amortization bases established pursuant to Items (i) through  
15 (iv) of this Subparagraph shall be amortized as a level dollar amount.

16 \* \* \*

17 §148. Membership age limitations

18 \* \* \*

19 B. The provisions of Subsection A ~~hereof~~ **of this Section** shall be  
20 inapplicable with respect to any employee whose retirement would be governed by  
21 the **Louisiana** State Police Pension and Retirement System, the Municipal Police  
22 Employees' Retirement System or any other public retirement system or plan  
23 maintained for law enforcement personnel or firefighters, the Sheriffs' Pension and  
24 Relief Fund, the provisions within the Louisiana State Employees' Retirement  
25 System governing employees of the Department of ~~Corrections, R.S. 11:531(2)(a)~~  
26 **Public Safety and Corrections** or the provisions within the Louisiana Employees'  
27 Retirement System governing wildlife and fisheries agents, R.S. 11:581 et seq.

28 \* \* \*

29 §154. Tax sheltering of employee contributions to retirement

30 A. The provisions of this Section shall be applicable to the following public

1 retirement systems and pension funds:

2 \* \* \*

3 (2) Louisiana State Police ~~Pension and Relief Fund~~ Retirement System.

4 \* \* \*

5 §158. Purchase of service credit in public retirement systems; price

6 \* \* \*

7 B. The provisions of this Section are applicable to the following public  
8 retirement or pension systems, funds, and plans:

9 \* \* \*

10 (13) Louisiana State Police ~~Pension and~~ Retirement System.

11 \* \* \*

12 §162. Classes of employees not eligible for membership

13 A. The provisions of this Section shall apply to the Louisiana State  
14 Employees' Retirement System, the Teachers' Retirement System of Louisiana, the  
15 Louisiana State Police ~~Pension and~~ Retirement System, and the Louisiana School  
16 Employees' Retirement System.

17 \* \* \*

18 §173. Audit reports; certified public accountants

19 A. This Section shall be applicable to the following public retirement  
20 systems:

21 \* \* \*

22 (2) Louisiana State Police ~~Pension and Relief Fund~~ Retirement System.

23 \* \* \*

24 §174. Death reports

25 \* \* \*

26 B. The provisions of Subsection A shall be applicable to the following public  
27 retirement systems and pension funds:

28 \* \* \*

29 (2) Louisiana State Police ~~Pension and Relief Fund~~ Retirement System.

30 \* \* \*

1 §181. Composition of governing boards of state and statewide systems; per diem  
2 and expenses

3 A. Notwithstanding any other provision of law contained in any of the laws  
4 governing the state retirement systems listed in this Subsection, or any other laws to  
5 the contrary, the chairman of the House Committee on Retirement and the chairman  
6 of the Senate Committee on Retirement, or their designees, shall serve as voting ex  
7 officio members of the governing boards of each of the following state retirement  
8 systems:

9 \* \* \*

10 (4) The Louisiana State Police ~~Pension and Retirement System.~~

11 \* \* \*

12 §182. Boards of trustees of state and statewide public retirement systems; per diem  
13 and expenses

14 A.(1) Notwithstanding any other provisions of law to the contrary, the  
15 members of the boards of trustees of the Louisiana State Employees' Retirement  
16 System, the Teachers' Retirement System of Louisiana, the Louisiana School  
17 Employees' Retirement System, the Municipal Police Employees' Retirement  
18 System, the Louisiana State Police ~~Pension and Retirement System~~, the Parochial  
19 Employees' Retirement System of Louisiana, the Municipal Employees' Retirement  
20 System of Louisiana, the Firefighters' Retirement System, the Assessors' Retirement  
21 Fund, the Clerks' of Court Retirement and Relief Fund, the Registrars of Voters  
22 Employees' Retirement System, the Sheriffs' Pension and Relief Fund, and the  
23 District Attorneys' Retirement System shall receive for attendance at meetings of the  
24 boards a per diem of seventy-five dollars per meeting plus the normal expense  
25 allowance, provided funds are available for this purpose.

26 \* \* \*

27 §185. Educational requirements for members of retirement system boards of trustees

28 A. The provisions of this Section shall apply to the following state retirement  
29 systems:

30 \* \* \*

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(4) The Louisiana State Police ~~Pension and Retirement System.~~

\* \* \*

§211. Louisiana State Police Retirement ~~Fund System~~

\* \* \*

§222. Exemption from restrictions on other income for persons confined to a wheelchair; state police; municipal police; sheriffs

A. Any disability beneficiary of the Louisiana State Police ~~Pension and Retirement System~~ or of the Municipal Police Employees' Retirement System receiving disability benefits as a result of an injury sustained in the line of duty, who, as a result of his disability, is permanently and completely confined to a wheelchair for movement of person, or is permanently and legally blind as a result of injury suffered in the line of duty, shall be exempt from the provisions of R.S. 11:221 or any other provision of law which provides for reduction of disability benefits if the recipient, subsequent to his disability, becomes gainfully employed.

\* \* \*

§223. Exemption from restrictions on other income for amputees; state police; municipal police

Any disability beneficiary of the Louisiana State Police ~~Pension and Retirement System~~ or of the Municipal Police Employees' Retirement System receiving disability benefits as a result of an injury sustained in the line of duty, who, as a result of his injury, is an amputee to a degree that he would be disqualified from serving as a state trooper or as a municipal policeman, shall be exempt from the provisions of R.S. 11:221 or any other provision of law which provides for reduction of disability benefits if the recipient, subsequent to his disability, becomes gainfully employed.

\* \* \*

§234. Survivor benefits

A. The provisions of this Section shall be applicable to all members of the following public retirement systems:

\* \* \*

1 (12) Louisiana State Police ~~Pension and~~ Retirement System.

2 \* \* \*

3 §251. Legal counsel, certified public accountants, professional investment  
4 personnel

5 Notwithstanding any other provisions of law to the contrary, the boards of  
6 trustees of the Louisiana State Employees' Retirement System, the Teachers'  
7 Retirement System of Louisiana, the Louisiana School Employees' Retirement  
8 System, the Municipal Police Employees' Retirement System, the Louisiana State  
9 Police ~~Pension and~~ Retirement System, the Parochial Employees' Retirement System  
10 of Louisiana, the Municipal Employees' Retirement System of Louisiana, the  
11 Firefighters Retirement System, the Assessors' Retirement Fund, the Clerks of Court  
12 Retirement and Relief Fund, the Registrars of Voters Employees' Retirement System,  
13 the Sheriffs' Pension and Relief Fund, and the District Attorneys' Retirement System  
14 are hereby authorized, jointly or otherwise, to at their option either employ or  
15 appoint at their own cost and expense legal counsel, certified public accountants, and  
16 professional investment personnel who shall be full-time in-house staff members of  
17 said systems, who may be members of the appropriate public retirement system, and  
18 who may participate in the state's group life, health, and hospitalization insurance  
19 program, or to retain legal counsel to represent said systems who shall not be a  
20 member of any of the above systems.

21 \* \* \*

22 §262. Applicability

23 The provisions of this Subpart are applicable to the following public  
24 retirement or pension systems, funds, and plans:

25 \* \* \*

26 (12) Louisiana State Police ~~Pension and~~ Retirement System.

27 \* \* \*

28 §271. Purpose; elimination of unfunded accrued liability

29 \* \* \*

30 B. The provisions of this Section are applicable to the following public

1 retirement systems:

2 \* \* \*

3 (12) Louisiana State Police ~~Pension and~~ Retirement System.

4 \* \* \*

5 §272. Early retirement eligibility

6 A. Notwithstanding any other provision of law to the contrary, the provisions  
7 of this Section shall be applicable to all members of the following public retirement  
8 systems:

9 \* \* \*

10 (2) Louisiana State Police ~~Pension and Relief Fund~~ Retirement System.

11 \* \* \*

12 §312. Application, definitions

13 A. The provisions of this Subpart shall apply to the following public  
14 retirement or pension systems, plans, or funds:

15 \* \* \*

16 (12) Louisiana State Police ~~Pension and~~ Retirement System.

17 \* \* \*

18 §417. Members employed in other state or public employment

19 A. Any person who is a member of the Louisiana State Employees'  
20 Retirement System, who has creditable membership service of at least five years in  
21 this system, and who becomes employed in other state or public employment where  
22 he is no longer eligible for membership in this system, but is eligible for membership  
23 in the Louisiana School Employees' Retirement System, the Louisiana State Police  
24 ~~Pension and Retirement Fund~~ System, the Teachers' Retirement System of  
25 Louisiana, or the Municipal Police Employees' Retirement System shall have the  
26 right to remain a member of this system in lieu of membership in the other state or  
27 statewide retirement system by filing a notice of election to remain in this system,  
28 in writing, with the board of trustees within thirty days after the effective date of  
29 employment. Such election shall be irrevocable.

30 \* \* \*



1 C. Any person who is a member of the Louisiana State Employees'  
 2 Retirement System, who becomes employed in other state or public employment  
 3 where he is no longer eligible for membership in this system as a result of official  
 4 actions over which the member has no control, who is eligible for membership in the  
 5 Louisiana School Employees' Retirement System, the Louisiana State Police  
 6 ~~Pension and Retirement System~~, the Teachers' Retirement System of Louisiana, or  
 7 the Municipal Employees' Retirement System, and who has at least one year of  
 8 creditable service in this system, shall have the right to remain a member of this  
 9 system in lieu of membership in the other state or statewide retirement system, by  
 10 filing a notice of election to remain in the system, in writing, with the board of  
 11 trustees within thirty days after the effective date of the change in employment. The  
 12 election shall be irrevocable.

13 \* \* \*

14 §516. Joint administration with other systems

15 The board of trustees may take such actions as it deems necessary or  
 16 appropriate to provide for the joint administration of the retirement system and the  
 17 Louisiana State Police ~~Pension and Retirement System~~; however, no action shall be  
 18 taken which would impair the integrity of the board of trustees of each of the systems  
 19 or the integrity of funds and investments of each of the systems. The boards may,  
 20 pursuant to the authority herein, appoint the same secretary-treasurer or  
 21 secretary-manager, any other provision of law to the contrary notwithstanding.  
 22 Funds appropriated for the administration of each system shall be used for such  
 23 purpose and in the category of expenditures appropriated but otherwise may be  
 24 transferred to accomplish the purposes of this Section without the necessity of  
 25 additional approval by the legislature, the Legislative Budget Committee, or its  
 26 successor, or the division of administration or its commissioner.

27 \* \* \*

28 §1301. Definitions

29 As used in this Chapter, the following terms have these meanings:

30 (1) "Board" means the Louisiana State Police Retirement System Board.

1 \* \* \*

2 (4) "Fund" means the Louisiana State Police Retirement System Fund.

3 \* \* \*

4 (8) "System" means the Louisiana State Police ~~Pension and Retirement~~  
5 System.

6 \* \* \*

7 §1302. Creation and composition of board; powers; expenses of administration

8 A. The Louisiana State Police Retirement System Board is created and is  
9 composed of the following members:

10 \* \* \*

11 §1305. Membership in pension and retirement system; credit for unclassified service  
12 prohibited; exceptions

13 A. Membership in the Louisiana State Police ~~Pension and Retirement~~  
14 System shall consist of the following:

15 \* \* \*

16 B. Except for the secretary and the deputy secretary of the Department of  
17 Public Safety and Corrections who shall be unclassified state employees, all  
18 members of the ~~state police pension and retirement system~~ State Police Retirement  
19 System shall be classified employees under the state civil service system and after  
20 July 27, 1966 no service credit shall be allowed in the system for unclassified service  
21 with the office of state police except for service as secretary and deputy secretary of  
22 the Department of Public Safety and Corrections.

23 \* \* \*

24 §1307. Persons eligible to retire on basis of service and age; retirement benefits

25 \* \* \*

26 D.(1) Regardless of the compensation actually paid to a member, retirement  
27 benefits from the Louisiana State Police ~~Pension and Retirement~~ System shall be as  
28 provided in this Chapter, except that his retirement benefits shall not exceed the  
29 amount he would receive, assuming for computation purposes his earnings were  
30 equal to the highest step of the pay range for the highest classified position in the

1 office of state police. The member's contributions shall be based upon the above  
2 salary assumed for computation purposes.

3 \* \* \*

4 §1307.1. Exceptions

5 A. The provisions of R.S. 11:1307(A) as set forth in Section 1 of Acts 2001,  
6 No. 1160, shall not be applicable to those persons who retired from or became  
7 beneficiaries of the Louisiana State Police ~~Pension and Retirement System~~ on or  
8 before June 30, 2001. The provisions of R.S. 11:1307(A) shall apply to any such  
9 person as R.S. 11:1307(A) was in effect at the time of such person's retirement.

10 \* \* \*

11 §1329. Increase in pensions; sale of drivers' licenses

12 An increase of twenty-five ~~per cent~~ **percent** in the pensions presently being  
13 paid to former officers and employees of the State Police Department who retired  
14 prior to January 1, 1955 under the provisions of R.S. 11:1306 through 1326, as  
15 amended, is hereby authorized, and out of the receipt derived from the sale of  
16 "drivers' licenses" accruing to the Driver's License Division of the Department of  
17 Public Safety **and Corrections** under the provisions of R.S. 32:412, the sum of  
18 twenty thousand dollars is hereby appropriated, set aside and dedicated for the fiscal  
19 year 1961-62 and each Fiscal Year thereafter to pay the increases herein authorized,  
20 and said amount shall be deposited annually in the **Louisiana** State Police ~~Pension~~  
21 ~~and Retirement~~ **System** Fund from which fund said increases shall be paid.

22 \* \* \*

23 §1345.1. Creation; application

24 There is hereby created a retirement plan within this system for persons who  
25 would otherwise be eligible for membership in the **Louisiana** State Police  
26 ~~Employees' Pension and Retirement System~~ but whose first employment making him  
27 eligible for membership in one of the state systems occurred on or after January 1,  
28 2011. Such plan shall be known as the New State Police Retirement Plan. Any other  
29 provisions of this Chapter or any other laws to the contrary notwithstanding, the  
30 retirement of such persons shall be governed by the provisions of this Part; however,

1 if provisions of this Chapter cover matters not specifically addressed by the  
2 provisions of this Part or if any of the provisions of this Chapter are made applicable  
3 in this Part, then those provisions shall apply to members governed by this Part.

4 §1345.2. Application; definitions

5 Terms not specifically defined in this Section shall have the meanings  
6 provided in R.S. 11:1301 unless a different meaning is clearly required by the  
7 context. For purposes of this Part:

8 \* \* \*

9 (4) "System" means the **Louisiana** State Police ~~Pension and Retirement~~  
10 System.

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

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