

Regular Session, 2008

SENATE BILL NO. 317

BY SENATOR NEVERS

STATE EMPLOYEE RET. Provides for secondary component benefits for certain juvenile detention center employees. (7/1/08)

1 AN ACT

2 To amend and reenact R.S. 11:601(B), 602 (title), and 605(A), relative to the Louisiana State  
3 Employees' Retirement System; to provide relative to benefits; to provide secondary  
4 component benefits for certain employees of juvenile or youth detention or  
5 correction centers, institutions, or facilities; to provide for definitions, retirement  
6 eligibility, and benefit calculation; to provide for transitions and transfers; to provide  
7 for an effective date; and to provide for related matters.

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

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 11:601(B), 602 (title), and 605(A) are hereby amended and reenacted  
11 to read as follows:

12 §601. Application; definitions

13 \* \* \*

14 B. For purposes of the secondary component, the words "member" or  
15 "members" shall mean:

16 ~~(1) wardens;~~ **Wardens**, correctional officers, probation and parole officers,  
17 and security personnel who are employed by the Department of Public Safety and

1 Corrections and who are or who upon enrollment as ~~an employee~~ **employees** would  
2 be members of the primary component, ~~but shall not include any other members of~~  
3 ~~the primary component or members of any other retirement system to which the state~~  
4 ~~makes contributions.~~

5 **(2) Any employee of a juvenile or youth detention or correction center,**  
6 **institution, or facility who is or who upon enrollment as an employee would**  
7 **otherwise be a member of the primary component.**

8 §602. Eligibility for ~~membership~~ **retirement; benefit calculation**

9 \* \* \*

10 §605. Transfer of other service credit

11 A. **(1)** Any member of the primary component who would otherwise be  
12 eligible for benefits from the secondary component, except that he was employed  
13 prior to January 1, 2002, shall have the right to irrevocably elect to become a  
14 member of the secondary component by submitting an application to the board of  
15 trustees in the same manner as members who transfer from another retirement  
16 system.

17 **(2) Any member of the primary component who would otherwise be**  
18 **eligible for benefits from the secondary component, except that he was**  
19 **employed before the effective date of this Paragraph, shall have the right to**  
20 **irrevocably elect to become a member of the secondary component by taking all**  
21 **of the following actions:**

22 **(a) Submitting an application to the board of trustees in the same**  
23 **manner as a member who transfers from another retirement system.**

24 **(b) Complying with the applicable provisions of Subsection B of this**  
25 **Section.**

26 \* \* \*

27 Section 2. This Act shall become effective on July 1, 2008; if vetoed by the governor  
28 and subsequently approved by the legislature, this Act shall become effective on July 1,  
29 2008, or on the day following such approval by the legislature, whichever is later.

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Laura Gail Sullivan.

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#### DIGEST

Present law provides for the retirement eligibility and benefits of certain employees of the Department of Public Safety and Corrections (DPS&C) who are members of the Louisiana State Employees' Retirement System (LASERS).

Proposed law retains present law.

Present law provides that the provisions of law governing LASERS excluding present law provisions relating to special benefits for certain employees of DPS&C shall be referred to as the "primary component". Provides that provisions relating to special benefits for certain employees of DPS&C shall be referred to as the "secondary component".

Proposed law retains present law.

Present law defines "member" or "members" to mean wardens, correctional officers, probation and parole officers, and security personnel who are employed by DPS&C and who are or who upon enrollment as employees would be members of LASERS' primary component.

Proposed law retains present law, and adds to the definition any employee of any juvenile or youth detention or correction center, institution, or facility who is or who upon enrollment as an employee would otherwise be a member of the primary component.

Present law provides that "member" shall not include any other members of the primary component or members of any other state retirement system.

Proposed law deletes this provision of present law.

Proposed law makes technical corrections to Section title.

Present law provides for transfer of service credit from the primary component to the secondary component by LASERS members who were employed on or before the effective date of present law (Jan. 1, 2002). Provides that an election to transfer is irrevocable. Provides that such transfer shall be made by submitting an application to the board of trustees in the same manner as members who transfer to LASERS from another retirement system.

Proposed law retains present law.

Proposed law further provides that any member of the primary component who would otherwise be eligible for benefits from the secondary component, except that he was employed before the effective date of proposed law shall have the right to irrevocably elect to become a member of the secondary component by submitting an application to the board of trustees in the same manner as a member who transfers from another retirement system.

Present law provides that such transfer may be made either by transferring service credit on an actuarial basis in accordance with present law (R.S. 11:143) or by transferring service credit at the accrual rate earned in the primary component before the transfer.

Proposed law retains present law.

SLS 08RS-510

**ORIGINAL**  
SB NO. 317

Effective July 1, 2008.

(Amends R.S. 11:601(B), 602(title), and 605(A))