



The 2020 Regular Legislative Session began on March 9, 2020. On March 16, House Speaker Rep. Clay Schexnayder and Senate President Senator Page Cortez announced the adjournment of the Legislature to comply with the public health mandate due to the COVID-19 pandemic. Legislators returned May 4 to address essential bills. The shortened Legislative Session certainly impacted the retirement bills filed for 2020. Legislators called themselves into Special Session twice in 2020 to address the impacts of the COVID-19 pandemic and Hurricanes Laura and Delta. Below is a synopsis of the bills filed for each session that impacted retirement.

## 2020 Regular Session

### House Bill 8 by Rep. Ryan Bourriaque

- Establishes that the current return-to-work law only applies to retirees who have returned to work with an employer covered by TRSL on or before June 30, 2020, and to retirees who retired on or before June 30, 2010 (the original grandfathered group).
- Requires a retiree who returns to work with an employer covered by TRSL on or after July 1, 2020, to choose one of the following two options, depending on whether the retiree is re-employed in a full-time position:
  - Option 1: Have earnings limited to 25% (per fiscal year) of the retiree's final average compensation (FAC) with a reduction in the benefit if the cap is exceeded, or
  - Option 2: (Only available to retirees re-employed in full-time positions)
    - Have benefits suspended for the duration of re-employment.
    - Return to active member status in TRSL and accrue a supplemental benefit, which will be calculated with the same formula used to determine the original benefit. If re-employed for at least 36 months, the supplemental benefit will be calculated based on the higher of the retiree's original FAC or the FAC since re-employment. If re-employed less than 36 months, the supplemental benefit will be calculated based on the retiree's original FAC.
- Allows a retiree returning to work under Option 1 to convert to Option 2 any time prior to or after reaching the allowable 25% earnings limitation (per fiscal year) of the retiree's FAC.
- Establishes that any retiree, who returns to active service after July 1, 2020, and within 12 months after retirement, shall have his retirement benefits suspended for the duration of such active service or the lapse of 12 months from the effective date of his retirement, whichever occurs first.
- Allows a retiree covered by the current return-to-work law to elect to be covered by the new provisions in House Bill 8.
- Requires that any retiree who returns to active service shall have his benefit suspended if such re-employment is based on a contract or corporate contract.
- Establishes that retirees receiving a TRSL disability retirement cannot return to work under any of the proposed provisions.
- Establishes that employer return-to-work reporting requirements, including penalties for failure to report, will be the same as under current law.

**LRTA Supported (with amendments), Sent to Governor**

### **House Bill 10 by Rep. Rick Edmonds**

Changes the computation of average compensation for TRSL retirees when such calculation is affected by a gap in service that spans more than 10 years, by eliminating compensation limits for months 1 through 12.

**LRTA Neutral**, Did Not Pass

### **House Bill 307 by Rep. Jerome Zeringue**

Makes supplemental payments toward Unfunded Accrued Liability (UAL) for Fiscal Year 2019-2020

**LRTA Supported**, Sent to Governor

### **House Concurrent Resolution 9 by Rep. Mike Johnson**

Memorializes congress to review and eliminate the provisions of federal law which reduce Social Security benefits for persons receiving pensions from federal, state, or local governmental retirement systems by supporting S.521 of the 116th Congress, the Social Security Fairness Act.

**LRTA Supported**, Signed by the Speaker

### **House Resolution 21 by Rep. Lance Harris**

Requests the state retirement systems to provide information to the legislature regarding permanent benefit increases for retirees no later than 12/1/2020.

**LRTA Supported**, Signed by the Speaker

### **Senate Concurrent Resolution 34 by Senator Beth Mizell**

Memorializes congress to review and eliminate the provisions of federal law which reduce Social Security benefits for persons receiving pensions from federal, state, or local governmental retirement systems by supporting S.521 of the 116th Congress, the Social Security Fairness Act.

**LRTA Supported**, Signed by the President

### **Senate Resolution 15 by Senator Ed Price**

Requests the state retirement systems to provide information to the legislature regarding permanent benefit increases for retirees no later than 12/1/2020.

**LRTA Supported**, Sent to Secretary of State

## **2020 First Special Session**

Immediately after the 2020 Regular Session, the legislature called itself into a Special Session on June 1. The Special Session ended June 30. LRTA carefully monitored the session for any fiscal considerations that could affect retirement or benefit plans. No bills affecting retirement were filed during this Special Session.



As legislators neared the end of the first Special Session, they already anticipated calling a second Special Session later in the year. The legislature called itself into a Special Session on September 28. While the topic of retirement was not specifically in the call for the session, one bill was filed in relation to Item #2 on the call ("To legislate relative to the power and authority of executive branch officers and agencies pursuant to the Louisiana Health Emergency Powers Act and the Louisiana Homeland Security and Emergency Assistance and Disaster Act").

### **House Bill 97 (Substitute Bill to House Bill 36) by Rep. Tony Bacala**

Provides relative to reemployment of retirees during a declared emergency.

**LRTA Supported**, Did Not Pass

The Second Special Session of 2020 ended October 23.