

Legislative Plan

Hired Prior to January 1, 2011 (La. R.S. 24:36)



(30) Photo by Theresa Mullins Low (Please see pages 100-101)

This chapter pertains to certain legislative officers and elected officials of the Legislative Plan hired prior to January 1, 2011. The positions covered by the Legislative Plan are:

- Members of the Louisiana Legislature serving prior to January 1, 1997*
- Clerk or Sergeant-at-Arms of the House of Representatives
- Secretary or Sergeant-at-Arms of the Senate
- President of the Senate
- Governor
- Lieutenant Governor
- State Treasurer

* Legislators elected after January 1, 1997, but who served in one of the following positions on January 1, 1997, and were members of a Louisiana Retirement System are eligible to retain membership in LASERS:

- Legislator
- School board member
- Levee board member
- Police jury or parish council member
- Member of a city council,

city-parish council, town council or any alderman or constable

- Other positions as described in Louisiana Constitution Article X, Section 29

Please refer to the chapters on Regular Members if a topic is not covered in this chapter

Contribution Rates **(La. R.S. 11:62(5))**

The State Treasurer pays a contribution rate of 7.5 percent.

Clerks or Sergeant-at-Arms of the House of Representatives, and Secretary or Sergeant-at-Arms of the Senate pay a contribution rate of 9.5 percent.

Members of the Legislature, President of the Senate, Governor, and the Lieutenant Governor pay a contribution rate of 11.5 percent.

All Legislative Officers and Elected Officials pay contributions on their salary, expense allowances, and overtime.

Retirement Eligibility

If you serve in one of the positions in the Legislative Plan, you will become eligible for retirement upon reaching one of the following criteria:

- 12 years of service credit as a member of the Legislature, Governor, Lieutenant Governor, or State Treasurer at age 55
- 16 years of service credit as a member of the Legislature, Governor, Lieutenant Governor, or State Treasurer at any age
- 20 years of total service credit at age 50, with at least 12 years as a member of the Legislature, Clerk, or Sergeant-at-Arms of the House, President, Secretary or Sergeant-at-Arms of the Senate, Governor, Lieutenant Governor, or State Treasurer

Benefit Accrual

As a Legislative Plan Member, you accrue benefits at 2.5 percent of your average compensation, plus an additional one percent for years of service in the Legislature, Clerk or Sergeant-at-Arms of the House, Secretary or Sergeant-at-Arms of the Senate, Governor, or Lieutenant Governor. ***However, if you were elected to the legislature after July 1, 2011, and are eligible for LASERS membership as previously described, you will accrue benefits at 2 percent of your average compensation for legislative service earned after July 1, 2011. The 2 percent accrual rate does not apply to any person serving in the legislature on June 30, 2011.***

If you became a member before July 1, 1986, and did not terminate membership and receive a refund of your contributions, you will receive an additional \$300.00 per year

added to your retirement benefit.

Your average compensation will be based on your highest successive 36 months of earnings, including per diem, expense allowances as provided by La. R.S. 24:31.1 and La. R.S. 24:31.2, and any other expense allowances provided for the Clerk of the House and the Secretary of the Senate, and overtime pay for Legislative employees. ***However, if you were elected to the legislature after July 1, 2011, and hold another position of public office or employment within this state making you eligible for membership in a state or statewide retirement system, the compensation upon which your retirement benefit is calculated shall not include any compensation for your service in the legislature occurring on or after July 1, 2011, and no service credit shall accrue for such service as an elected member of the legislature. This restriction does not apply to any person serving in the legislature on June 30, 2011.***

Limits on Final Average Compensation ([La. R.S. 11:403\(5\)](#))

When calculating your retirement benefit, the earnings used for your average compensation may be capped in order to avoid excessive spikes in compensation.

The earnings to be considered for the 13th through the 24th month shall not exceed 125 percent of the earnings of the 1st through the 12th month. The earnings to be considered for the final 12 months shall not exceed 125 percent of the earnings of the 13th through the 24th month.

Service Credit Upgrade

If you are a member of the Legislative Plan, you may upgrade service credit for any prior service during which you were employed by the state, any state agency, political subdivision, or any nonprofit quasi-government entity whose funding is derived in whole or in part from federal, state, or local sources. You may also purchase prior service as an elected official.

Application Process

To receive an invoice to upgrade your service credit, you must submit to LASERS:

- [Form 02-14: Legislative Upgrade Invoice Request](#)
- A \$150.00 nonrefundable actuarial calculation fee made payable to LASERS. If additional upgrade options are requested, additional fees may be required.

If you decide to pay the invoice, and upgrade your service credit, you will accrue benefits at 3.5 percent of your average compensation for each year of upgraded service. Any such upgrade must be completed prior to retirement or participation in DROP. If you have participated in DROP, you may only upgrade credit earned after DROP participation provided that you have not retired. This election is irrevocable.

It is highly recommended that an invoice be requested several months prior to the date needed.