

Bond Case Briefs

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PENSIONS - LOUISIANA

East Baton Rouge Parish School Bd. v. Louisiana School Employees' Retirement System

Court of Appeal of Louisiana, First Circuit - May 1, 2014 - Not Reported in So.3d - 2013-1300 (La.App. 1 Cir. 5/1/14)

School boards brought suit against the Louisiana State Employees' Retirement System (LSERS), alleging that it was the state's responsibility, not theirs, to pay to LSERS the employers' portion of the retirement contributions made on behalf of plaintiffs' employees that are needed to fund the "normal" cost and the unfunded accrued liability of the plaintiffs' employee pensions.

The Court of Appeal held that:

- Plaintiffs failed to show the existence of a genuine issue of material fact regarding whether the legislature appropriated the required pension funding through the Minimum Foundation Program (MFP) block grants;
- Plaintiffs failed to show that there was a genuine issue of material fact concerning the funding of the unfunded accrued liability of the plaintiffs' employee pensions; and
- Plaintiffs failed to raise a genuine issue of material fact concerning whether requiring them to make the employer pension contributions to LSERS out of the MFP funding constitutes a prohibited unfunded mandate.