

HOUSE COMMITTEE AMENDMENTS

2022 Regular Session

Amendments proposed by House Committee on Retirement to Reengrossed Senate Bill No. 434 by Senator Fields

1 AMENDMENT NO. 1

2 On page 1, line 2, after "reenact" delete "R.S. 11:710(F)(1)" and insert "R.S. 11:710(A)(3),
3 (F)(1),"

4 AMENDMENT NO. 2

5 On page 1, line 11, delete "R.S. 11:710(F)(1)" and insert "R.S.11:710(A)(3), (F)(1),"

6 AMENDMENT NO. 3

7 On page 1, between lines 14 and 15 insert the following:

8 "A. As used in this Section, the following words and phrases shall have the
9 following meanings, unless a different meaning is clearly required by the context:

10 * * *

11 (3) "Critical shortage" means any situation in which the employer has
12 advertised and posted ~~notice of positions to be filled~~ **a solicitation for certified**
13 **teachers, has listed on the specified websites the positions that are unfilled or**
14 **filled by reemployed retirees**, and has received fewer than three certified applicants
15 as provided in Subsection F of this Section."

16 AMENDMENT NO. 4

17 Delete page 2 and on page 3, delete lines 1 through 12 and insert the following:

18 "unless and until the Board of Elementary and Secondary Education and the board
19 of trustees of this system have received certification that a critical shortage exists.
20 Prior to making such certification for any ~~full-time~~ critical shortage position, the
21 employer shall ~~cause to be advertised in the official journal of the employer's~~
22 ~~governing authority, on two separate occasions, notice that a shortage of certified~~
23 ~~teachers exists and the positions sought to be filled. Additionally, the employer shall~~
24 ~~cause notice to be posted at the career development office, or similar such entity, of~~
25 ~~every post-secondary institution within a one hundred twenty-mile radius of the~~
26 ~~employer's governing authority~~ **satisfy the requirements of Subparagraph (b) of**
27 **this Paragraph**. If a certified applicant who is not a retiree applies for an advertised
28 position, such person shall be hired before any certified retiree is employed, unless
29 fewer than three applicants have applied for the position each of whom is certified
30 in the critical shortage area being filled.

31 **(b) For any position sought to be filled by employment of a retiree, the**
32 **employer may certify the existence of a critical shortage only after complying**
33 **with all of the following requirements:**

34 **(i) Posting with the career development office, or similar such entity, of**
35 **every postsecondary education institution within a one hundred twenty-mile**
36 **radius of the employer's governing authority at the beginning of each semester**
37 **a general statement that the employer is soliciting applications for future**
38 **employment of certified teachers.**

39 **(ii) Advertising at least once per month in the official journal of the**
40 **employer's governing authority that the employer is soliciting applications for**
41 **future employment of certified teachers.**

42 **(iii) Prominently displaying a listing of positions that are unfilled or that**
43 **are filled by reemployed retirees, including those positions filled under the**

1 provisions of Subsection G of this Section, on the website of the employer's
2 governing authority and of the employer, if the employer maintains a separate
3 website.

4 * * *

5 G.(1) A retiree of this system who has been retired for at least twelve
6 months and who did not retire based on a disability may be directly reemployed
7 without suspension or reduction in benefit if either of the following apply:

8 (a) The retiree is certified to teach mathematics, science, English
9 language arts, or special education excluding gifted and talented and is
10 reemployed to fill a position in the area of certification.

11 (b) The retiree is certified, has at least thirty years of creditable service,
12 has attained at least age sixty-two, and is reemployed to fill a vacancy created
13 because a teacher is on maternity leave pursuant to R.S. 17:1211, military leave
14 pursuant to R.S. 17:1215, sabbatical leave pursuant to R.S. 17:1171, or extended
15 sick leave pursuant to R.S. 17:1202.

16 (2) The provisions of this Subsection shall not apply to anyone
17 reemployed by contract or corporate contract.

18 (3) If a teacher who is not a retiree of this retirement system and who is
19 certified in one of the areas listed in Paragraph (1) of this Subsection applies for
20 a position in the area of certification filled at that time by a retiree reemployed
21 under the provisions of this Subsection, that nonretiree shall be employed to
22 replace the retiree at the start of the next grading period.

23 (4) The provisions of this Subsection shall terminate July 1, 2027."

24 AMENDMENT NO. 5

25 On page 4, line 8, after "system" and before "who" insert "who retired on or before June
26 30, 2020, and"

27 AMENDMENT NO. 6

28 On page 6, line 6, after "by" and before "schools" insert "public"

29 AMENDMENT NO. 7

30 On page 6, at the beginning of line 11 delete "term." and insert "term without employment
31 of retirees."

32 AMENDMENT NO. 8

33 On page 6, delete lines 14 through 18 and insert the following:

34 "Section 4. The provisions of Sections 1 and 2 of this Act shall become effective
35 when the Act which originated as Senate Bill No. 377 of the 2022 Regular Session of the
36 Legislature become effective.

37 Section 5. The provisions of Sections 3 and 4 and this Section of this Act shall
38 become effective upon signature of this Act by the governor or, if not signed by the
39 governor, upon expiration of the time for bills to become law without signature by the
40 governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If this Act
41 is vetoed by the governor and subsequently approved by the legislature, the provisions of
42 Sections 3 and 4 and this Section of this Act shall become effective on the day following
43 such approval."