

2015 Regular Session

HOUSE BILL NO. 43

BY REPRESENTATIVE LEBAS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

RETIREMENT/TEACHERS: Increases the salary cap in the Teachers' Retirement System of Louisiana retire-rehire law for retirees employed as substitute classroom teachers

1 AN ACT

2 To amend and reenact R.S. 11:710(A)(5), relative to payment of retirement benefits to  
3 retirees employed in positions covered by the Teachers' Retirement System of  
4 Louisiana; to provide relative to salary caps on certain such employment; and to  
5 provide for related matters.

6 Notice of intention to introduce this Act has been published  
7 as provided by Article X, Section 29(C) of the Constitution  
8 of Louisiana.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 11:710(A)(5) is hereby amended and reenacted to read as follows:

11 §710. Employment of retirees

12 A. For purposes of this Section, "retired teacher" shall mean any of the  
13 following:

14 \* \* \*

15 (5) A retired member who returns to active service covered by the provisions  
16 of this Chapter as a substitute classroom teacher who teaches any student in pre-  
17 kindergarten through twelfth grade. For purposes of this Paragraph "substitute  
18 classroom teacher" shall mean a classroom teacher employed in a temporary capacity  
19 to fill the position of another classroom teacher who is unavailable to teach for any  
20 reason. Such substitute classroom teacher's earnings from his return to active service

1 shall not exceed ~~twenty-five~~ fifty percent of his benefit during any fiscal year. If  
 2 actual earnings exceed this amount in any fiscal year, the benefits payable to the  
 3 retiree shall be reduced by the amount in excess of ~~twenty-five~~ fifty percent of his  
 4 benefit.

5 \* \* \*

6 Section 2. The cost of this Act, if any, shall be funded with additional employer  
 7 contributions in compliance with Article X, Section 29(F) of the Constitution of Louisiana.

8 Section 3. This Act shall become effective on July 1, 2015; if vetoed by the governor  
 9 and subsequently approved by the legislature, this Act shall become effective on July 1,  
 10 2015, or on the day following such approval by the legislature, whichever is later.

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#### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 43 Engrossed

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**Abstract:** Increases from 25% to 50% the salary cap that a retiree of the Teachers' Retirement System of Louisiana (TRSL) who returns to work as a substitute classroom teacher may receive while still receiving his full retirement benefit.

Present law (R.S. 11:710(C)(2)) prohibits a retired member of TRSL from receiving his benefit check while he is reemployed in a position covered by TRSL. Present law (R.S. 11:710(A)) provides exceptions to this prohibition.

Present law defines the term "classroom teacher" to mean any employee whose position of employment requires a valid La. teaching certificate and who is assigned the professional activities of instructing pupils in courses in classroom situations for which daily pupil attendance figures for the school system are kept.

Pursuant to present law, a retired classroom teacher may return to work as a substitute classroom teacher and continue to receive his retirement benefits. Further provides that a retired member returning to work as a substitute may continue to draw his full benefit check while working, but may only earn up to 25% of his annual benefit as salary in such a position. Any amount earned over 25% of the retiree's annual benefit are to be deducted from the retiree's benefit check. Proposed law increases this salary cap from 25% to 50% and otherwise retains present law.

Proposed law requires that any cost of proposed law be funded with additional employer contributions in compliance with Art. X, Sec. 29(F) of the state constitution.

Effective July 1, 2015.

(Amends R.S. 11:710(A)(5))