

Regular Session, 2014

HOUSE BILL NO. 21

BY REPRESENTATIVE HENSGENS

RETIREMENT/TEACHERS: Authorizes a retired member of the Teachers' Retirement System of Louisiana who does not have a valid teaching certificate to return to work as a substitute instructor and continue to receive retirement benefits

1 AN ACT

2 To amend and reenact R.S. 11:710(A)(5), relative to retired members of the Teachers'
3 Retirement System of Louisiana; to provide relative to such members returning to
4 work in covered positions; to provide salary restrictions; to provide for funding; and
5 to 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~~ instructor who teaches any student
17 in pre-kindergarten through twelfth grade. For purposes of this Paragraph "substitute
18 classroom ~~teacher~~ instructor" shall mean a ~~classroom teacher~~ person employed in a
19 temporary capacity to fill the position of ~~another~~ a classroom teacher who is

1 unavailable to teach for any reason. Such substitute classroom ~~teacher's~~ instructor's
2 earnings from his return to active service shall not exceed twenty-five percent of his
3 benefit during any fiscal year. If actual earnings exceed this amount in any fiscal
4 year, the benefits payable to the retiree shall be reduced by the amount in excess of
5 twenty-five percent of his benefit.

6 * * *

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

Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

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)]

Hensgens

HB No. 21

Abstract: Authorizes a retired member of the Teachers' Retirement System of Louisiana (TRSL) who does not possess a valid teaching certificate to return to work as a substitute classroom instructor and continue to receive retirement benefits.

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 retirement benefits. Proposed law removes the requirement that the retiree possess a valid La. teaching certificate in order to return to work as a substitute and continue to receive benefits.

Pursuant to present law, 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. Proposed law 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 upon signature of governor or lapse of time for gubernatorial action.

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