
DIGEST

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Cortez

HB No. 417

Abstract: Relative to the Teachers' Retirement System of La. (TRSL), allows certain retirees reemployed as substitute teachers to receive a retirement benefit during reemployment.

Present law prohibits any TRSL retiree other than a "retired teacher" from receiving a retirement benefit while reemployed. Provides that anyone other than a "retired teacher" shall have his benefit suspended during reemployment. Defines "retired teacher" as:

- (1) Any retired member who returns to work full-time or part-time as a classroom teacher offering instructional services to any student in grades K through 12 in a "critical shortage area".
- (2) Any other retired member reemployed on or before June 30, 2010.
- (3) Any retired member who returns to active service as a full-time certified speech therapist, speech pathologist, or audiologist whose position of employment requires a valid La. ancillary certificate approved and issued by the state Dept. of Education in a school district where a shortage exists.

Proposed law adds to the definition of "retired teacher", and therefore to the list of reemployed retirees who may receive a benefit during reemployment, retirees who have at least 30 years of service credit or are at least 60 years of age and who are reemployed as substitute K through 12 classroom teachers.

Proposed law provides that if a K through 12 substitute works more than 90 days in a fiscal year, his retirement benefits shall be reduced by the amount he earns for work beyond 90 days.

Present law requires each employer to report to the system and to the House and Senate committees on retirement the names, positions, and salaries of each person reemployed by such employer as of Jan. 1, 2010, who was receiving a retirement benefit pursuant to the provisions of present law. Requires such reports annually.

Proposed law changes the date of such reporting to within 45 days after June 30th. No longer requires reporting to the House and Senate committees on retirement, and instead requires such information to be reported to TRSL only.

Present law provides that if a failure by an employing agency to report on a reemployed retiree

causes any overpayment of benefits, the employer shall be liable to TRSL for repayment of such overpayment.

Proposed law retains present law and provides further that the failure of the employing agency to report to TRSL any information required by present law shall cause the employer to be liable to TRSL for any overpayment of benefits.

Effective July 1, 2011.

(Amends R.S. 11:710(A)(1), (D), and (H); Adds R.S. 11:710(A)(4))