

Regular Session, 2011

HOUSE BILL NO. 150

BY REPRESENTATIVE DOWNS

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

RETIREMENT/TEACHERS: Relative to the Teachers' Retirement System of Louisiana, provides for the payment of benefits for retired adjunct professors during reemployment

1 AN ACT

2 To enact R.S. 11:710(A)(4), relative to the Teachers' Retirement System of Louisiana; to
3 allow certain retirees reemployed as adjunct professors to receive benefits during
4 reemployment; and to provide for related matters.

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

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 11:710(A)(4) is hereby enacted to read as follows:

10 §710. Employment of retirees

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

13 * * *

14 (4) A retired member who returns to active service covered by the provisions
15 of this Chapter as an adjunct professor. For purposes of this Paragraph "adjunct
16 professor" shall mean part-time faculty, including instructors, assistant professors,
17 associate professors, and professors, assigned the professional activities of
18 instructing pupils or conducting research at a public institution of postsecondary
19 education. Such instruction may be provided in person or through an approved

medium such as television, radio, computer, Internet, multimedia telephone, or
correspondence and which is delivered inside or outside the classroom or in other
teacher-student settings. Such adjunct professor's earnings from his return to active
service shall not exceed twenty-five percent of his benefit during any fiscal year. If
actual earnings exceed this amount in any fiscal year, the benefits payable to the
retiree shall be reduced by the amount in excess of twenty-five percent of his benefit.

7 * * *

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

Section 3. This Act shall become effective on July 1, 2011; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 2011, or on the day following such approval by the legislature, whichever is later.

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)]

Downs

HB No. 150

Abstract: Relative to the Teachers' Retirement System of La. (TRSL), allows certain retirees reemployed as adjunct professors to receive retirement benefits 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 reemployed as adjunct professors engaged in the instruction of students or in research.

Proposed law provides that the earnings of any such adjunct professor shall not exceed 25% of his retirement benefit in any fiscal year. If earnings exceed this amount, such professor's retirement benefit will be reduced by the amount in excess of the 25%.

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, 2011.

(Adds R.S. 11:710(A)(4))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Retirement to the original bill.

1. Deletes language requiring an adjunct professor to be at least age 60 or have 30 years of service credit in order to receive a benefit during reemployment under proposed law.
2. Adds provision allowing adjunct professors engaged in research to receive a benefit during reemployment under proposed law.
3. With regards to earnings limitations of adjunct professors to whom proposed law applies, deletes requirement that the board of supervisors of the employer publish a uniform pay schedule for adjunct professors which such adjunct professors' earnings shall not exceed during reemployment.