
DIGEST

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Cox

HB No. 29

Abstract: Provides that any member who retires from the Teachers' Retirement System of La. (TRSL) on or after July 1, 2010, may return to work and receive his full benefit while reemployed subject to a 25% earnings restriction on such reemployment.

Present law prohibits any retiree of TRSL other than a "retired teacher" from receiving a retirement benefit while reemployed. Further 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 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 in a school district where a shortage exists.
- (3) Any retired member who returned to active service on or before June 30, 2010.
- (4) Any retired member who returns to active service who retired on or after May 1, 2009, and on or before June 30, 2010, in a position requiring a La. teaching certificate or ancillary certificate.
- (5) Any retired member who returns to work as a substitute classroom teacher instructing grades pre-kindergarten through twelfth. Restricts any earnings in a year from such position to no more than 25% of the retired member's annual benefit.
- (6) Any retired member who returns to work instructing adults through adult education of literacy programs administered through a public institution of elementary or secondary education. Restricts any earnings in a year from such position to no more than 25% of the retired member's annual benefit.
- (7) Any retired member who holds an advanced degree in speech therapy, speech pathology, or audiology.

- (8) Any retired member who returns to work as an adjunct professor engaged in research or instructions of students. Restricts any earnings in a year from such position to no more than 25% of the retired member's annual benefit.

Proposed law generally provides that any member who retires from TRSL may return to work and receive his full benefit while reemployed. Restricts any earnings in a year from such position to no more than 25% of the retired member's annual benefit.

Proposed law further retains the following present law exceptions allowing return to work without a salary restriction:

- (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 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 in a school district where a shortage exists.
- (3) Any retired member who returned to active service on or before June 30, 2010.
- (4) Any retired member who returns to active service who retired on or after May 1, 2009, and on or before June 30, 2010, in a position requiring a La. teaching certificate or ancillary certificate.
- (5) Any retired member who holds an advanced degree in speech therapy, speech pathology, or audiology.

Present law provides that if a retired member authorized to return to active service returns under more than one provision with an earnings limitation, the most restrictive earnings limitation shall apply to the total annual salary earned by the member. Proposed law applies the earnings limitation to the total annual salary of a member who returns to work in more than one position if any such position is subject to the limitation.

Present law requires any rehired retiree who is authorized to receive his benefit while reemployed to make employee contributions to the system on his salary. Upon termination of reemployment, such rehired retiree receives a refund of his contributions. Prohibits such rehired retiree from accruing additional service credit in the system for such reemployment.

Further requires the employer to make employer contributions to TRSL on the salary earned by the rehired retiree. Upon termination of the rehired retiree's reemployment, the system retains the employer contributions made during the period of reemployment. Proposed law retains present law.

Present law requires annual reports from employing agencies to TRSL on the salary and position of any retiree who returns to active service who is authorized to receive his benefit while

reemployed. 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, §29(F) of the state constitution.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 11:710)