

2022 Regular Session

HOUSE BILL NO. 1021

BY REPRESENTATIVES MCFARLAND, DEVILLIER, EDMONDS, FRIEMAN,
HARRIS, AND ROMERO

RETIREMENT/TEACHERS: Provides for the reemployment of retirees of the Teachers' Retirement System of Louisiana in a critical shortage position

1 AN ACT

2 To amend and reenact R.S. 11:710(F)(1) and (G), relative to the Teachers' Retirement
3 System of Louisiana; to provide for the reemployment of teachers; to provide for the
4 advertising of a critical shortage position; to provide for the certification of
5 reemployed teachers; and 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(F)(1) and (G) are hereby amended and reenacted to read as
11 follows:

12 F.(1) A retiree who is employed in a critical shortage position shall not
13 receive a benefit during the period of his reemployment as provided in this Section
14 unless and until the Board of Elementary and Secondary Education and the board of
15 trustees of this system have received certification that a critical shortage exists. Prior
16 to making such certification for any full-time critical shortage position, the employer
17 shall cause to be ~~advertised~~ published, in the official journal of the employer's
18 governing authority on one occasion and on the school board's website for a period
19 of not less than ten days ~~two separate occasions~~, notice that a shortage of certified

1 teachers exists and the positions sought to be filled. ~~Additionally, the employer shall~~
 2 ~~cause notice to be posted at the career development office, or similar such entity, of~~
 3 ~~every post-secondary institution within a one hundred twenty-mile radius of the~~
 4 ~~employer's governing authority.~~ If a certified applicant who is not a retiree applies
 5 for an advertised position, such person shall be hired before any ~~certified~~ retiree who
 6 is certified to teach is employed, unless fewer than three applicants have applied for
 7 the position each of whom is certified ~~in the critical shortage area being filled.~~

8 * * *

9 G. Notwithstanding any other provision of law to the contrary, the provisions
 10 of this Section shall be applicable only to a retiree who meets one of the following
 11 criteria:

12 (1) He returns to active service with an employer covered by the provisions
 13 of this Chapter on or before June 30, 2020, ~~and any retiree.~~

14 (2) He is covered under Subparagraph (A)(6)(a) of this Section.

15 (3) He is covered under Paragraph (A)(4) of this Section and retired prior to
 16 July 1, 2020.

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

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)]

HB 1021 Engrossed

2022 Regular Session

McFarland

Abstract: Provides for reemployment of teachers in the Teachers' Retirement System of La. (TRSL) in a critical shortage position.

Present law authorizes retirees of TRSL who return to active service on or before June 30, 2020, to be reemployed in a critical shortage position without a reduction in benefits.

Proposed law authorizes a retiree who retired prior to July 1, 2020, to return to active service in a critical shortage position without a reduction in retirement benefits regardless of when he returns to active service.

Present law provides procedures for establishing that a critical shortage exists.

Proposed law amends such procedures as follows:

- (1) Present law requires the employer to publish a notice in its official journal, on two separate occasions, that a shortage of certified teachers exists and the positions sought to be filled. Proposed law requires such publication only once and requires posting of the notice on the employer's website.
- (2) Present law requires the employer to cause notice to be posted at the career development office of every post-secondary institution within a 120-mile radius of the employer. Proposed law removes this requirement.
- (3) Present law provides that if a certified applicant who is not a retiree applies for an advertised position, such person shall be hired before any certified retiree is employed, unless fewer than three applicants have applied for the position each of whom is certified in the critical shortage area being filled. Proposed law removes requirement that the applicants be certified in the critical shortage area.

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

(Amends R.S. 11:710(F)(1) and (G))