

2024 Regular Session

HOUSE BILL NO. 39

BY REPRESENTATIVE MCCORMICK

RETIREMENT/STATE EMPS: Provides relative to the reemployment of retired bus drivers of the Louisiana School Employees' Retirement System

1 AN ACT

2 To amend and reenact R.S. 11:1006(D) and 1007(A)(1) and to repeal R.S. 11:1007(C)(3),
3 relative to the Louisiana School Employees' Retirement System; to provide for
4 reemployment of retired bus drivers; 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. 11:1006(D) and 1007(A)(1) are hereby amended and reenacted to
10 read as follows:

11 §1006. Reemployment of retirees

12 * * *

13 D. The provisions of this Section shall not apply to any retiree of this system
14 who retired from service as a bus ~~driver~~ operator, who returns to active service in a
15 full-time or part-time position as a bus ~~driver~~ operator covered by the provisions of
16 this Chapter, and whose employer chooses to reemploy him pursuant to R.S.
17 11:1007. The ~~full-time~~ reemployment of such retired bus drivers shall be governed
18 by the provisions of that Section.

1 §1007. Employment of retired bus ~~drivers~~ operators

2 A.(1)(a) Subject to the provisions of Subsection F of this Section, any retiree
3 of this system who was retired from service as a bus ~~driver~~ operator on or before
4 June 30, 2024, and who returns to active service in a full-time or part-time position
5 as a bus ~~driver~~ operator covered by the provisions of this Chapter within the ~~twelve~~
6 six-month period immediately following the effective date of his retirement shall
7 have his retirement benefit suspended for the duration of such active service or the
8 lapse of ~~twelve~~ six months after the effective date of his retirement, whichever
9 occurs first, even if such service is based on employment by contract or corporate
10 contract. After the period of suspension of benefits as provided in this ~~Subsection~~
11 Subparagraph, the retirement benefit of such retiree shall no longer be suspended.

12 (b) Subject to the provisions of Subsection F of this Section, any retiree of
13 this system who retired from service as a bus operator on or after July 1, 2024, and
14 who returns to active service in a full-time or part-time position as a bus operator
15 covered by the provisions of this Chapter within the twelve-month period
16 immediately following the effective date of his retirement shall have his retirement
17 benefit suspended for the duration of such active service or the lapse of twelve
18 months after the effective date of his retirement, whichever occurs first, even if such
19 service is based on employment by contract or corporate contract. After the period
20 of suspension of benefits as provided in this Subparagraph, the retirement benefit of
21 such retiree shall no longer be suspended.

22 * * *

23 Section 2. R.S. 11:1007(C)(3) is hereby repealed in its entirety.

24 Section 3. The cost of this Act, if any, shall be funded with additional employer
25 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 39 Engrossed

2024 Regular Session

McCormick

Abstract: Provides for reemployment of retired bus drivers in the La. School Employees' Retirement System (LSERS).

Present law provides relative to the reemployment of retirees of LSERS in positions covered by the system. For most employees, present law provides an earnings limitation of 50% of the retiree's average compensation; retirement benefits in the amount of earnings beyond that limit are repaid or suspended.

Present law provides an exception for a retired bus driver who is reemployed as a full-time bus driver. For such retirees, benefits are suspended for the first 12 months after retirement but are not suspended or reduced after that. Proposed law makes present law also applicable to a retiree who returns to work as a part-time bus operator. Proposed law reduces the period of benefit suspension for full- or part-time bus operators who retired on or before June 30, 2024.

Proposed law changes terminology from "bus driver" to "bus operator".

Present law requires the superintendent of an employer who employs a retiree as a full-time bus driver to certify to the State Bd. of Elementary and Secondary Education that a shortage of qualified bus drivers exists in the school district. Proposed law repeals 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.

(Amends R.S. 11:1006(D) and 1007(A)(1); Repeals R.S. 11:1007(C)(3))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Retirement to the original bill:

1. Make six month benefit suspension period applicable only to bus operators who retired on or before June 30, 2024.
2. Make technical changes.