

2022 Regular Session

HOUSE BILL NO. 30

BY REPRESENTATIVES FRIEMAN AND GAROFALO

RETIREMENT/TEACHERS: Provides relative to the reemployment of retired teachers in the Teachers' Retirement System of Louisiana

1 AN ACT

2 To enact R.S. 11:710.1(A)(1)(d) and to repeal R.S. 11:710.1(A)(1)(d), relative to the
3 Teachers' Retirement System of Louisiana; to provide for reemployment of retired
4 teachers; to provide for compensation during reemployment; to provide for costs; to
5 provide for an effective date; 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. 11:710.1(A)(1)(d) is hereby enacted to read as follows:

11 §710.1. Employment of retirees on or after July 1, 2020

12 A.

13 * * *

14 (1)

15 * * *

16 (d)(i) A retiree who retired prior to December 31, 2021, may be employed in
17 a position identified in Item (ii) of this Subparagraph provided that his earnings in
18 such employment do not exceed one hundred percent of his final average
19 compensation during any fiscal year. If actual earnings exceed this amount, the

1 benefits payable to the retiree shall be reduced by the amount in excess of one
2 hundred percent of his final average compensation. The provisions of Subparagraphs
3 (a) and (c) of this Paragraph do not apply to such a retiree.

4 (ii) The provisions of this Subparagraph apply to a person hired to teach
5 kindergarten through twelfth grade. The provisions of this Subparagraph also apply
6 to a person hired by a public postsecondary education institution as an instructor,
7 assistant professor, associate professor, or professor, any of whom is assigned the
8 professional activity of instructing students or conducting research.

9 (iii) A retiree employed in a full-time position pursuant to this Subparagraph
10 may prospectively exercise Option 2 as provided in this Paragraph any time prior to
11 or after reaching one hundred percent of his final average compensation. In such
12 case, all employee contributions made in accordance with Subparagraph (b) of this
13 Paragraph prior to the exercise of Option 2 shall be refunded at that time. If a retiree
14 has earned in excess of one hundred percent of his final average compensation prior
15 to an election made pursuant to this Item, the employee contributions eligible for
16 refund or the benefits payable to the retiree shall be reduced by the amount in excess
17 of one hundred percent of his final average compensation.

18 * * *

19 Section 2. R.S. 11:710.1(A)(1)(d) is hereby repealed in its entirety.

20 Section 3. The cost of this Act, if any, shall be funded with additional employer
21 contributions in compliance with Article X, Section 29(F) of the Constitution of Louisiana.

22 Section 4.(A) This Section and Sections 1 and 3 of this Act shall become effective
23 on July 1, 2022.

24 (B) Section 2 of this Act shall become effective on July 1, 2025.

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 30 Reengrossed

2022 Regular Session

Frieman

Abstract: For a period of three years, increases the amount certain retired teachers may earn while reemployed without a reduction of retirement benefits.

Present law authorizes retirees of the Teachers' Retirement System of La. (TRSL) to be reemployed in a position covered by the system without a reduction of his retirement benefit if his earnings from such employment during a fiscal year do not exceed 25% of his final average compensation. If his earnings exceed this limit, present law authorizes him to choose a benefit reduction or to become a member of the system again and earn a supplemental benefit.

Proposed law retains present law except to increase the earnings limit to 100% of the retiree's final average compensation for the following:

- (1) A teacher in grades kindergarten through 12th grade.
- (2) Any of the following who is instructing students or conducting research at a public postsecondary education institution:
 - (a) An instructor.
 - (b) An assistant professor.
 - (c) An associate professor.
 - (d) A professor.

Proposed law is effective for three years; then present law is again effective.

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.

Proposed law becomes effective on July 1, 2022, and is repealed effective July 1, 2025.

(Adds R.S. 11:710.1(A)(1)(d); Repeals R.S. 11:710.1(A)(1)(d))

Summary of Amendments Adopted by House

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

1. Remove provisions that (a) repealed present law relative to TRSL retirees who returned to service prior to June 30, 2020, and (b) allowed retirees defined as teachers to return to work without a suspension of benefits.
2. Add proposed law provisions outlined in the above digest.

The House Floor Amendments to the engrossed bill:

1. Make proposed law applicable to retirees hired to teach in K-12 rather than teachers certified to teach certain subjects.