2024 Regular Session

HOUSE BILL NO. 35

## BY REPRESENTATIVE RISER

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

1	AN ACT
2	To amend and reenact R.S. 11:710(H) and 710.1(A)(introductory paragraph) and (B),
3	relative to retired teachers in the Teachers' Retirement System of Louisiana; to
4	authorize certain reemployment of retirees without a suspension or reduction of
5	benefits; 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(H) and 710.1(A)(introductory paragraph) and (B) are hereby
11	amended and reenacted to read as follows:
12	§710. Employment of retirees who retired on or before June 30, 2020, and those
13	who return to work in critical shortage positions
14	* * *
15	H. Notwithstanding any other provision of law to the contrary, the provisions
16	of this Section shall be applicable only to a retiree who retired on or before June 30,
17	2020, and to any retiree during a period of employment in a critical shortage
18	position.

1	§710.1. Employment of retirees who retired on or after July 1, 2020, except those
2	who return to work in critical shortage positions
3	A. Except as otherwise provided in this Section, any retiree who returns to
4	active service with an employer covered by the provisions of this Chapter and who
5	retired on or after July 1, 2020 to whom R.S. 11:710 is not applicable, shall for that
6	period of employment choose one of the following irrevocable options, which shall
7	be made in writing and filed with the appropriate officer of the employer:
8	* * *
9	B.(1) Any retiree who continues to be covered by R.S. 11:710 may elect to
10	be covered by the provisions of this Section. Any retiree who makes an election to
11	be covered by this Section shall no longer be covered by the provisions of R.S.
12	11:710.
13	(2) Any retiree who retired on or after July 1, 2020, and who returned to
14	work in a critical shortage position as provided for by R.S. 11:710(H) is covered by
15	this Section upon termination of such employment.
16	* * *
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)]

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Abstract: Authorizes retirees in the Teachers' Retirement System of La. (TRSL) who retired after June 30, 2020 to return to work in critical shortage positions without suspension or reduction of their retirement benefits.

Present law provides relative to TRSL retirees who return to work in positions covered by the system.

Present law, applicable to employees who retire on or before June 30, 2020, generally requires suspension of a retired teacher's benefits during reemployment. Provides exceptions to this requirement. One such exception provides that a retiree may return to work in specified positions without a reduction or suspension of benefits if there is a critical shortage of properly certified candidates to fill a vacancy in such a position.

<u>Present law</u>, applicable to employees who retire after June 30, 2020, requires the retiree returning to work to choose one of the following options:

- (1) Return to work with an allowable employment earnings cap of 25% of his final average compensation with a reduction in the retirement benefit if the cap is exceeded.
- (2) Suspend his benefit, return to work with no employment earnings cap, and begin to accrue a supplemental benefit for the duration of service after reemployment.

<u>Proposed law</u> provides that an employee who retires after June 30, 2020, may return to work in one of the specified positions without a reduction or suspension of benefits if there is a critical shortage of properly certified candidates to fill a vacancy, as is authorized by <u>present</u> <u>law</u> for those who retired on or before June 30, 2020.

<u>Proposed law</u> requires that any cost of <u>proposed law</u> be funded with additional employer contributions in compliance with Art. X, Sec. 29(F) of the state constitution.

(Amends R.S. 11:710(H) and 710.1(A)(intro. para.) and (B))