

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, who returns to active service in a full-time  
15 or part-time position as a bus driver covered by the provisions of this Chapter, and  
16 whose employer chooses to reemploy him pursuant to R.S. 11:1007. The ~~full-time~~  
17 reemployment of such retired bus drivers shall be governed by the provisions of that  
18 Section.

1 §1007. Employment of retired bus drivers

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

12 \* \* \*

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 R.S. 11:1007(C)(3) is hereby repealed in its entirety.

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

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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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HB 39 Original

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 reduces the period of benefit suspension to six months and makes present law also applicable to a retiree who returns to work as a part-time bus driver.

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))