

Regular Session, 2011

ACT No. 394

HOUSE BILL NO. 369

BY REPRESENTATIVES GARY SMITH, BALDONE, BARROW, BISHOP, BURRELL, GISCLAIR, HARDY, HOFFMANN, SAM JONES, KATZ, LAFONTA, MONICA, MONToucET, PATRICIA SMITH, ST. GERMAIN, STIAES, AND WILLMOTT

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1 AN ACT

2 To amend and reenact R.S. 11:710(D) and to enact R.S. 11:710(A)(4), relative to the
3 Teachers' Retirement System of Louisiana; to allow certain reemployed retirees to
4 receive benefits during reemployment; to provide an effective date; and to provide
5 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(D) is hereby amended and reenacted and R.S. 11:710(A)(4)
11 is hereby enacted to read as follows:

12 §710. Employment of retirees

13 A. For purposes of this Section, "retired teacher" shall mean any of the
14 following:

15 * * *

16 (4) A retired member who has a valid Louisiana teaching certificate who
17 returns to active service covered by the provisions of this Chapter who is assigned
18 the professional activities of instructing adults through an adult education or literacy
19 program administered through a public institution of elementary or secondary
20 education. Such individual's earnings from his return to active service shall not
21 exceed twenty-five percent of his benefit during any fiscal year. If actual earnings
22 exceed this amount in any fiscal year, the benefits payable to the retiree shall be
23 reduced by the amount in excess of twenty-five percent of his benefit.

24 * * *

1 D. When any retiree returns to active service with an employer covered by
2 the provisions of this Chapter, the employing agency shall, within thirty days
3 thereafter, notify the board of trustees in writing of such employment, the date on
4 which employment commenced, and a determination by the employer as to whether
5 such person is a "retired teacher" pursuant to Subsection A of this Section. Upon
6 termination, the agency shall provide the same notice. In addition, the employing
7 agency shall also report to the retirement system within forty-five days after June
8 thirtieth of each year, the name of all persons being paid by the employing agency,
9 their social security numbers, their designation as parttime or fulltime, and the
10 amount of their earnings during the previous fiscal year ending on June thirtieth of
11 the reporting year. Should failure to give notice of return to active service result in
12 any payment being made in violation of this Section, the employing agency shall be
13 liable to the system for the repayment of such amounts.

* * *

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

17 Section 3. This Act shall become effective if and when the Act which originated as
18 Senate Bill No. 6 of the 2011 Regular Session of Legislature becomes effective.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____