

ACT No. 395

HOUSE BILL NO. 417

BY REPRESENTATIVES CORTEZ, ARMES, ARNOLD, BOBBY BADON, BALDONE, BARRAS, BISHOP, BURFORD, HENRY BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANDLER, CHANEY, DIXON, DOWNS, FANNIN, GISCLAIR, GUINN, HARDY, HENDERSON, HOFFMANN, HOWARD, SAM JONES, KATZ, LANDRY, LEBAS, LOPINTO, MONTOUCET, NOWLIN, POPE, RICHARD, RICHARDSON, SCHRODER, SEABAUGH, GARY SMITH, JANE SMITH, THIBAUT, AND WOOTON AND SENATORS LONG, THOMPSON, AND WALSWORTH

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(A)(1), (B)(1)(a), (C)(2), and (D), to enact R.S.
3 11:710(A)(4), and to repeal R.S. 11:710(H), relative to the Teachers' Retirement
4 System of Louisiana; to allow certain retirees reemployed as substitute teachers to
5 receive benefits during reemployment; to provide limitations; to provide an effective
6 date; and to provide for related matters.

7 Notice of intention to introduce this Act has been published
8 as provided by Article X, Section 29(C) of the Constitution
9 of Louisiana.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 11:710(A)(1), (B)(1)(a), (C)(2), and (D) are hereby amended and
12 reenacted and R.S. 11:710(A)(4) is hereby enacted to read as follows:

13 §710. Employment of retirees

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

16 (1) A retired member who returns to active service covered by the provisions
17 of this Chapter as a full-time or part-time classroom teacher who teaches any student
18 in kindergarten through twelfth grade in a critical teacher shortage area. For
19 purposes of this Paragraph, "critical shortage area" shall mean any subject area
20 where a shortage of certified teachers exists in that subject area, subject to the

1 provisions of Subsection F of this Section. For purposes of this ~~Paragraph~~ Section,
 2 "classroom teacher" shall mean any employee, whose position of employment
 3 requires a valid Louisiana teaching certificate and who is assigned the professional
 4 activities of instructing pupils in courses in classroom situations for which daily
 5 pupil attendance figures for the school system are kept. Such classroom situations
 6 may include teaching in a school classroom or in other settings such as a home or
 7 hospital or other learning situations such as cocurricular activities, which instruction
 8 may be provided in person or through an approved medium such as television, radio,
 9 computer, Internet, multimedia telephone, and correspondence that is delivered
 10 inside or outside the classroom or in other teacher-student settings.

11 * * *

12 (4) A retired member who returns to active service covered by the provisions
 13 of this Chapter as a substitute classroom teacher who teaches any student in
 14 kindergarten through twelfth grade. For purposes of this Paragraph "substitute
 15 classroom teacher" shall mean a classroom teacher employed in a temporary capacity
 16 to fill the position of another classroom teacher who is unavailable to teach for any
 17 reason. Such substitute classroom teacher's earnings from his return to active service
 18 shall not exceed twenty-five percent of his benefit during any fiscal year. If actual
 19 earnings exceed this amount in any fiscal year, the benefits payable to the retiree
 20 shall be reduced by the amount in excess of twenty-five percent of his benefit.

21 * * *

22 B.(1)(a) Any retired teacher who returns to active service covered by the
 23 provisions of this Chapter within the twelve-month period immediately following the
 24 effective date of such retirement shall have his retirement benefits suspended for the
 25 duration of such active service or the lapse of twelve months from the effective date
 26 of his retirement, whichever occurs first, even if such service is based on
 27 employment by contract or corporate contract. If any retired member returns to
 28 active service in a position qualifying him as a retired teacher under more than one
 29 provision of this Section providing for an earnings limitation of twenty-five percent
 30 of his retirement benefit in any fiscal year, the twenty-five percent earnings

