

Regular Session, 2012

HOUSE BILL NO. 20

BY REPRESENTATIVES HOFFMANN, BARROW, BROWN, HENRY BURNS, CHANEY, COX, HOLLIS, HOWARD, HUNTER, KATRINA JACKSON, JAMES, JEFFERSON, JONES, LEGER, LIGI, MONTOUCET, PEARSON, POPE, PRICE, REYNOLDS, RICHARD, RICHARDSON, SMITH, ST. GERMAIN, THOMPSON, AND WILLMOTT

RETIREMENT/TEACHERS: Provides for the payment of benefits to retired members of the Teachers' Retirement System of La. who are rehired as adjunct professors

1 AN ACT

2 To enact R.S. 11:710(A)(5), relative to the Teachers' Retirement System of Louisiana; to  
3 allow certain retirees reemployed as adjunct professors to receive benefits during  
4 reemployment; to provide definitions; to provide limitations; and to provide for  
5 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(A)(5) is hereby enacted to read as follows:

11 §710. Employment of retirees

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

14 \* \* \*

15 (5) A retired member who returns to active service covered by the provisions  
16 of this Chapter as an adjunct professor. For purposes of this Paragraph, "adjunct  
17 professor" means part-time faculty, including instructors, assistant professors,  
18 associate professors, and professors, assigned the professional activities of

1 instructing pupils or conducting research at a public institution of postsecondary  
 2 education. Such instruction may be provided in person or through an approved  
 3 medium such as television, radio, computer, Internet, multimedia telephone, or  
 4 correspondence and may be delivered inside or outside the classroom or in other  
 5 teacher-student settings. The adjunct professor's earnings from his return to active  
 6 service shall not exceed twenty-five percent of his retirement benefit during any  
 7 fiscal year. If actual earnings exceed this amount in any fiscal year, the benefits  
 8 payable to the retiree shall be reduced by the amount in excess of twenty-five percent  
 9 of his benefit.

10 \* \* \*

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

13 Section 3. This Act shall become effective on July 1, 2012; if vetoed by the governor  
 14 and subsequently approved by the legislature, this Act shall become effective on July 1,  
 15 2012, or on the day following such approval by the legislature, whichever is later.

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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)]

Hoffmann

HB No. 20

**Abstract:** Relative to the Teachers' Retirement System of La. (TRSL), allows certain retirees reemployed as adjunct professors to receive retirement benefits during reemployment at public postsecondary institutions.

Present law prohibits any TRSL retiree other than a "retired teacher" from receiving a retirement benefit while reemployed in a position covered by TRSL. Provides that anyone other than a "retired teacher" shall have his benefit suspended during reemployment. Defines "retired teacher" as:

- (1) Any retired member who returns to work full time or part time as a classroom teacher offering instructional services to any student in grades K through 12 in a "critical shortage area".
- (2) Any retired member who returns to active service as a full-time certified speech therapist, speech pathologist, or audiologist whose position of employment requires a valid La. ancillary certificate approved and issued by the state Dept. of Education in a school district where a shortage exists.
- (3) Any other retired member reemployed on or before June 30, 2010.

- (4) Any member who retired between May 1, 2009, and June 30, 2010, who returns to active service in a position requiring a valid La. teaching certificate or a valid La. ancillary certificate.

Proposed law adds to the definition of "retired teacher", and therefore to the list of reemployed retirees who may receive a benefit during reemployment, retirees reemployed as adjunct professors engaged in the instruction of students, or in research at a public postsecondary institution.

Proposed law provides that the earnings of any such adjunct professor shall not exceed 25% of his retirement benefit in any fiscal year. If earnings exceed this amount, the professor's retirement benefit will be reduced by the amount in excess of the 25%.

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

Effective July 1, 2012.

(Adds R.S. 11:710(A)(5))