

House Concurrent Resolution No. 7

95TH GENERAL ASSEMBLY

05701L.011

2 **Whereas**, public school employees in Missouri are not covered by Social Security
3 for their public school service. Public school employees and school districts make no
4 contributions to the Social Security system for such work and they cannot collect benefits based
5 on such work. Instead, the state provides public school employees with retirement benefits
6 through the Missouri Public School Retirement System; and

7 **Whereas**, when Congress passed the Social Security Act in 1935, it excluded
8 federal, state, and local government employees from mandatory coverage. In the early 1950s,
9 Congress passed a law that allowed state and local government employees to be covered if they
10 voluntarily chose coverage in a referendum; and

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12 **Whereas**, fourteen states, including Missouri, do not provide Social Security
13 coverage for teachers. These states have independent retirement systems for teachers and other
14 public employees; and

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16 **Whereas**, a recent decision by the Social Security Administration jeopardizes
17 retirement benefits for as many as 10,000 Missouri public school employees. The Social
18 Security Administration determined that too many school district employees covered by the
19 Missouri Public School Retirement System have been exempt from paying Social Security taxes;
20 and

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22 **Whereas**, federal officials have determined that the Social Security exemption
23 should only apply to teachers, principals, and a handful of other positions. Currently, guidance
24 counselors, transportation workers, and instruction aids also participate in the Missouri Public
25 School Retirement System; and

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27 **Whereas**, the Social Security Administration's decision to remove the exemption
28 for guidance counselors, transportation workers, and instruction aids will result in a significant
29 hardship on Missouri school districts and affect their ability to recruit qualified employees in
30 those areas:

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32 **Now, therefore, be it resolved** that the members of the House of
33 Representatives of the Ninety-fifth General Assembly, First Regular Session, the Senate
34 concurring therein, hereby strongly urge the United States Congress to oppose the Social Security
35 Administration's decision regarding the Social Security exemption for public school employees
36 and to enact legislation that prohibits certain employees of public school systems who currently
37 participate in a state public school employee retirement system from being forced to participate
38 in the federal Social Security system, including the payment of any payroll Social Security tax;
39 and

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41 **Be it further resolved** that the Chief Clerk of the Missouri House of
42 Representatives be instructed to prepare a properly inscribed copy of this resolution for the
43 Commissioner of the federal Social Security Administration and each member of the Missouri
44 Congressional delegation.

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