

HCS HB 1085 -- SCHOOL EMPLOYEE RETIREMENT SYSTEMS

SPONSOR: Lair

COMMITTEE ACTIONS: Voted "Do Pass with Amendments" by the Standing Committee on Pensions by a vote of 12 to 0. Voted "Do Pass with HCS" by the Select Committee on Financial Institutions and Taxation by a vote of 10 to 0.

This bill changes the laws regarding school employee retirement systems.

KANSAS CITY PUBLIC SCHOOL RETIREMENT SYSTEM

Currently, a retired teacher receiving an allowance from the Kansas City Public School Retirement System may work for a school district on a part-time or temporary-substitute basis for up to 600 hours in any one school year and earn up to 50% of the annual compensation the person was last paid by the employer before the person retired without a discontinuance of the person's retirement allowance.

The bill specifies that those provisions must apply to a person who is retired and currently receiving a retirement allowance under Sections 169.270 to 169.400, RSMo, other than for disability, who is employed by a third party or working as an independent contractor performing work in a district included in the retirement system as a temporary or long-term substitute teacher or in any other position that would normally require that person to be duly certificated under the laws governing the certification of teachers in Missouri if the person was employed by the district. The retirement system may require documentation from the parties involved showing compliance with this provision. If the documentation is not provided, the retirement system may deem the retiree to have exceeded the limitations.

MISSOURI PUBLIC SCHOOL RETIREMENT SYSTEM

Currently, a retired teacher receiving an allowance from the Missouri Public School Retirement System may work for a school district on a part-time or temporary-substitute basis for up to 550 hours in any one school year and earn up to 50% of the annual compensation payable under the employing district's salary schedule for the position or positions filled by the retiree without a discontinuance of the person's retirement allowance.

The bill specifies that if a person is employed in any capacity by the district in excess of the limitation, he or she must not be eligible to receive his or her allowance for any month he or she is so employed, and he or she must contribute to the retirement system

if he or she satisfies the retirement system's membership eligibility requirements.

These provisions must apply to any individual retired and currently receiving a retirement allowance under Sections 169.010 to 169.141, other than for disability, who is employed by a third party or is performing work as an independent contractor if he or she is performing work in a district included in the retirement system as a temporary or long-term substitute teacher or in any other position that would normally require that individual to be duly certificated under the laws governing the certification of teachers in Missouri if he or she was employed by the district.

The retirement system may require the district, the third-party employer, the independent contractor, and the retiree to provide documentation showing compliance with these provisions. If the documentation is not provided, the retirement system may deem the retiree to have exceeded the limitations.

PROPOSERS: Supporters say that the bill will prevent retired teachers from working more hours than allowed by law because they are working for a contractor providing teaching services. Currently, retired teachers can work more than the 550 hours as a teacher without losing his or her allowance if he or she is employed through a job service. This will close that loop hole.

Testifying for the bill were Representative Lair; Jim Kreider, Missouri Retired Teachers Association; Missouri National Education Association; Missouri State Teachers Association; and Public School Retirement System of Missouri.

OPPOSERS: There was no opposition voiced to the committee.