

1 HB562
2 168271-3
3 By Representative Johnson (R)
4 RFD: Ways and Means Education
5 First Read: 28-APR-15

1 ~~(\$17,000)~~ (\$30,000) including all cost of living adjustments,
2 but specifically excluding mileage and per diem reimbursement
3 payments made for official duties of the person. Beginning in
4 calendar year ~~2001~~ 2017, and each calendar year thereafter,
5 the annual earning limit shall be increased by the same
6 percentage increase as the increase in the Consumer Price
7 Index for all urban consumers as published by the U.S.
8 Department of Labor, Bureau of Labor Statistics. Any increase
9 in the annual earning limit shall be rounded to the next
10 lowest multiple of one thousand dollars (\$1,000) with any
11 amount in excess of the one thousand dollar (\$1,000) multiple
12 considered in determining the increase for the following year.
13 Each adjustment shall be based on the increase in the index
14 for the preceding 12-month period ending on September 30 and
15 the increase shall be effective for the following calendar
16 year.

17 " (b) Any person serving as an elected official who
18 has retired from the Teachers' Retirement System may serve for
19 compensation in an elected public office with the state, a
20 county, or an incorporated municipality without suspension of
21 retirement benefits; provided that under no circumstances
22 shall such a person participate in or accrue additional
23 benefits under the Teachers' Retirement System or the
24 Employees' Retirement System, and provided that under no
25 circumstances shall a person whose retirement is based upon
26 service as an elected official continue in or return to such
27 office and receive both pension benefits and salary; provided

1 further, that this subsection shall apply to elected officials
2 whose participation in the Teachers' Retirement System or the
3 Employees' Retirement System is constitutionally required to
4 be upon the same terms and conditions as specified by law for
5 other employees in the retirement system if such elected
6 official's compensation does not exceed the annual earning
7 limits provided in subsection (a).

8 "(c) The responsibility for compliance with this
9 section is placed upon the employing authority, and each
10 retiree performing duties under this section shall certify to
11 the employer any information required in order to carry out
12 this section. The retiree shall provide written notice of the
13 postretirement employment under this section to the Teachers'
14 Retirement System and employing authority within 30 days after
15 the date the retiree knows or should know that he or she will
16 be performing duties on a full-time or permanent basis or will
17 earn an amount in excess of the annual earning limit under
18 this section.

19 "§36-27-8.2.

20 "(a) Any person who is retired under the Employees'
21 Retirement System may perform duties in any capacity,
22 including as an independent contractor, with any employer
23 participating in the Employees' Retirement System or the
24 Teachers' Retirement System without suspension of his or her
25 retirement allowance provided that (1) the person is not
26 employed in a permanent full-time capacity and (2) the
27 person's compensation from the employer in calendar year 2000

1 2016 and does not exceed ~~seventeen~~ thirty thousand dollars
2 ~~(\$17,000)~~ (\$30,000) including all cost of living adjustments,
3 but specifically excluding mileage and per diem reimbursement
4 payments made for official duties of the person. Beginning in
5 calendar year ~~2001~~ 2017, and each calendar year thereafter,
6 the annual earning limit shall be increased by the same
7 percentage increase as the increase in the Consumer Price
8 Index for all urban consumers as published by the U.S.
9 Department of Labor, Bureau of Labor Statistics. Any increase
10 in the annual earning limit shall be rounded to the next
11 lowest multiple of one thousand dollars (\$1,000) with any
12 amount in excess of the one thousand dollar (\$1,000) multiple
13 considered in determining the increase for the following year.
14 Each adjustment shall be based on the increase in the index
15 for the preceding 12-month period ending on September 30 and
16 the increase shall be effective for the following calendar
17 year.

18 "(b) Any person serving as an elected official who
19 has retired from the Employees' Retirement System may serve
20 for compensation in an elected public office with the state, a
21 county, or an incorporated municipality without suspension of
22 retirement benefits; provided that under no circumstances
23 shall such a person participate in or accrue additional
24 benefits under the Teachers' Retirement System or the
25 Employees' Retirement System, and provided that under no
26 circumstances shall a person whose retirement is based upon
27 service as an elected official continue in or return to such

1 office and receive both pension benefits and salary; provided
2 further, that this subsection shall apply to elected officials
3 whose participation in the Teachers' Retirement System or the
4 Employees' Retirement System is constitutionally required to
5 be upon the same terms and conditions as specified by law for
6 other employees in the retirement system if such elected
7 official's compensation does not exceed the annual earning
8 limits provided in subsection (a).

9 "(c) The responsibility for compliance with the
10 provision of this section is placed upon the employing
11 authority, and each retiree performing duties under this
12 section shall certify to the employer any information required
13 in order to carry out this section. The retiree shall provide
14 written notice of the postretirement employment under this
15 section to the Employees' Retirement System and employing
16 authority within 30 days after the date the retiree knows or
17 should know that he or she will be performing duties on a
18 full-time or permanent basis or will earn an amount in excess
19 of the annual earning limit under this section."

20 Section 2. This act shall become effective on the
21 first day of the third month following its passage and
22 approval by the Governor, or its otherwise becoming law.

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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on Ways and Means
Education..... 28-APR-15

Read for the second time and placed
on the calendar 1 amendment 07-MAY-15

Read for the third time and passed
as amended..... 19-MAY-15

Yeas 92, Nays 0, Abstains 6

Jeff Woodard
Clerk