Wienorn (8)

Mr. Speaker: I am instructed by the Senate to inform the Hol

that the Senate has taken up and passed

HB 563, as amended

entitled:

AN ACT

To repeal sections 215.030 and 260.035, RSMo, and to enact in lieu thereof two new sections relating to employer eligibility in the Missouri State Employees' Retirement System.

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In which the concurrence of the House is respectfully requested.

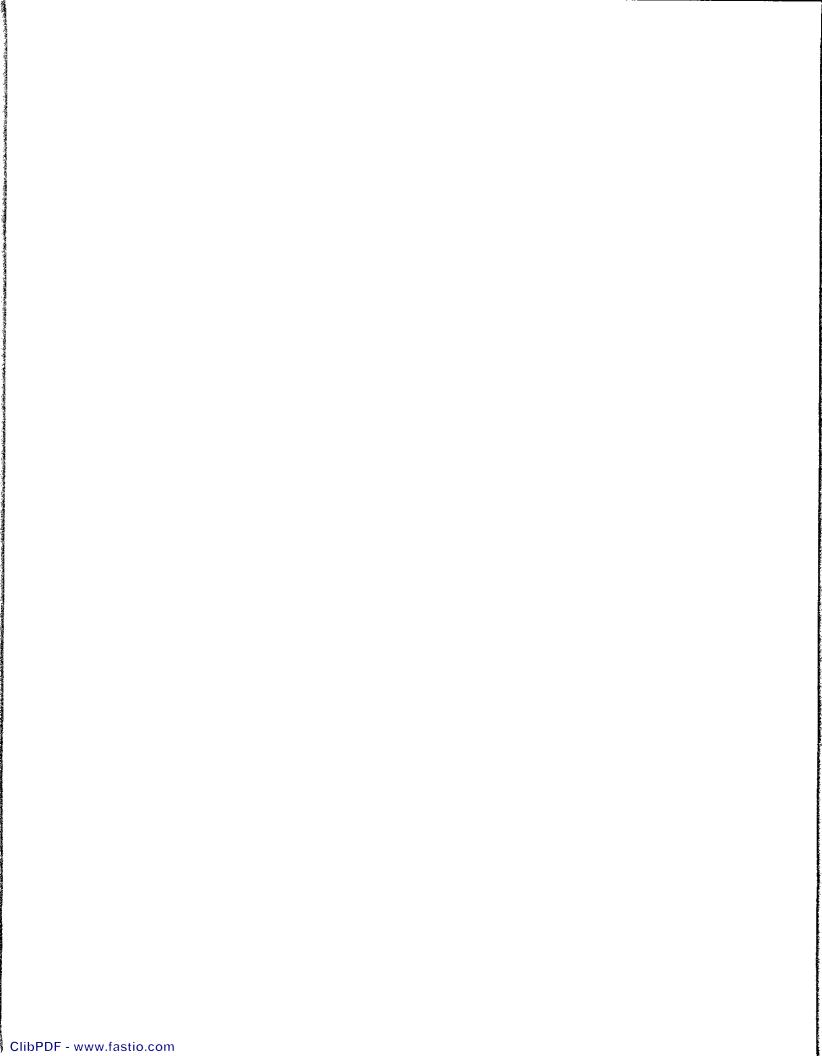
Respectfully,

Adriane D. Crouse

Secretary of the Senate

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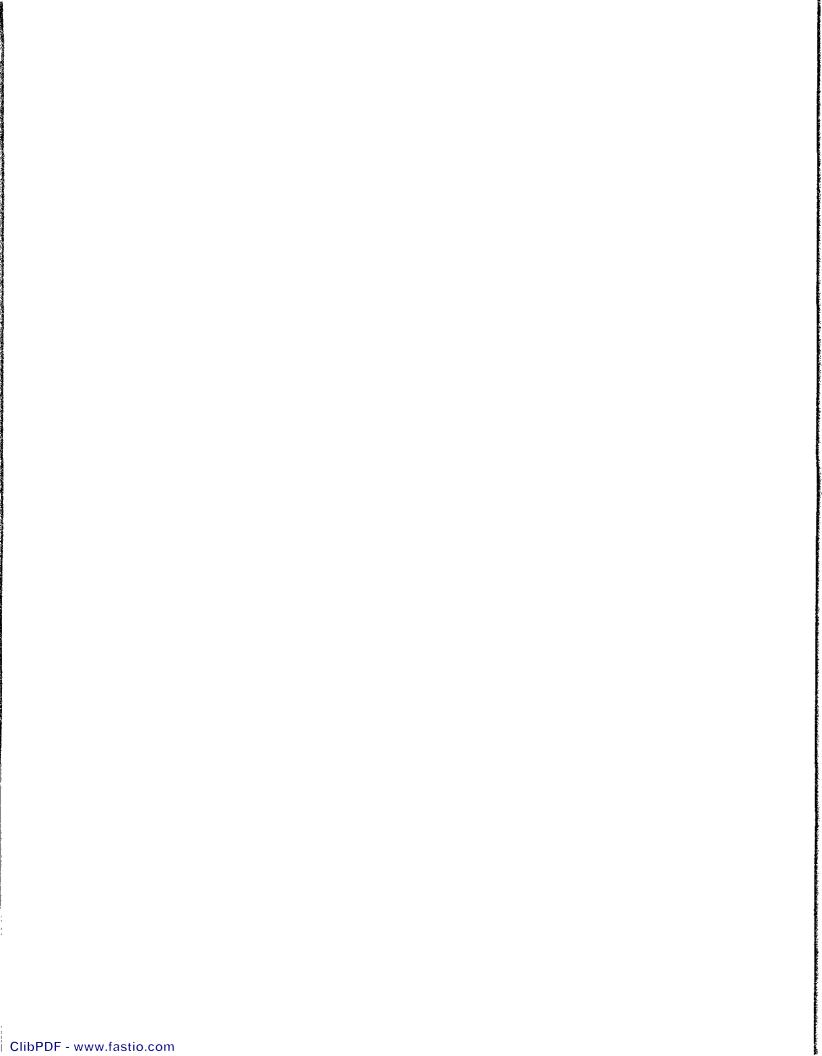
MAY 17 2019



| SENATE AMENDMENT NO | |
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| Offered b | Romine of 3rd |
| Oliered D | of |
| Amend | House Bill No. 563 , Page 1 , Section title , Line 2 |
| by | inserting after "RSMo," the following: "and section 169.560 |
| as | enacted by house bill no. 77, one hundredth general assembly, |
| fi | rst regular session,"; and further amend line 3 by striking all |
| of | said line and inserting in lieu thereof the following: |
| "re | elating to public employee retirement systems."; and |
| | Further amend said bill and page, Section A, Line 1, by |
| in | serting after "RSMo," the following: "and section 169.560 as |
| ena | acted by house bill no. 77, one hundredth general assembly, |
| fi | rst regular session,"; and further amend line 2, by inserting |
| af | ter all of said line the following: |
| | "169.560. 1. Any person retired and currently receiving a |
| re | tirement allowance pursuant to sections 169.010 to 169.141, |
| ot) | her than for disability, may be employed in any capacity for an |
| emy | ployer included in the retirement system created by those |
| se | ctions on either a part-time or temporary-substitute basis not |
| to | exceed a total of five hundred fifty hours in any one school |
| ye | ar, and through such employment may earn up to fifty percent of |
| th | e annual compensation payable under the employer's salary |
| SC. | hedule for the position or positions filled by the retiree, |
| gi | ven such person's level of experience and education, without a |
| di | scontinuance of the person's retirement allowance. If the |

employer does not utilize a salary schedule, or if the position

in question is not subject to the employer's salary schedule, a



retiree employed in accordance with the provisions of this subsection may earn up to fifty percent of the annual compensation paid to the person or persons who last held such position or positions. If the position or positions did not previously exist, the compensation limit shall be determined in accordance with rules duly adopted by the board of trustees of the retirement system; provided that, it shall not exceed fifty percent of the annual compensation payable for the position by the employer that is most comparable to the position filled by the retiree. In any case where a retiree fills more than one position during the school year, the fifty-percent limit on permitted earning shall be based solely on the annual compensation of the highest paid position occupied by the retiree for at least one-fifth of the total hours worked during the year. Such a person shall not contribute to the retirement system or to the public education employee retirement system established by sections 169.600 to 169.715 because of earnings during such period of employment. If such a person is employed in any capacity by such an employer in excess of the limitations set forth in this subsection, the person shall not be eligible to receive the person's retirement allowance for any month during which the person is so employed. In addition, such person shall contribute to the retirement system if the person satisfies the retirement system's membership eliqibility requirements. addition to the conditions set forth above, this subsection shall apply to any person 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 such person is performing

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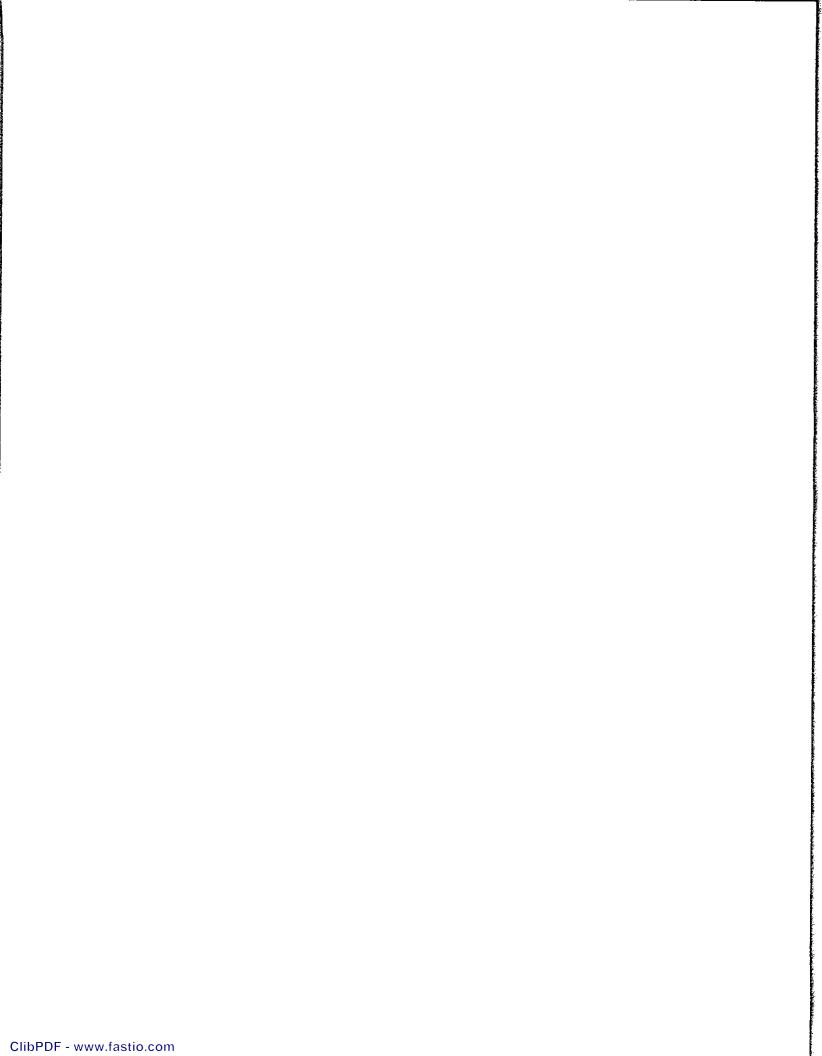
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work for an employer included in the retirement system as a temporary or long-term substitute teacher or in any other position that would normally require that person to be duly certificated under the laws governing the certification of teachers in Missouri if such person was employed by the district. The retirement system may require the employer, the third-party employer, the independent contractor, and the retiree subject to this subsection to provide documentation showing compliance with this subsection. If such documentation is not provided, the retirement system may deem the retiree to have exceeded the limitations provided in this subsection.

Notwithstanding any other provision of this section, any person retired and currently receiving a retirement allowance in accordance with sections 169.010 to 169.141, other than for disability, may be employed by an employer included in the retirement system created by those sections in a position that does not normally require a person employed in that position to be duly certificated under the laws governing the certification of teachers in Missouri, and through such employment may earn up to sixty percent of the minimum teacher's salary as set forth in section 163.172, without a discontinuance of the person's retirement allowance. Such person shall not contribute to the retirement system or to the public education employee retirement system established by sections 169.600 to 169.715 because of earnings during such period of employment, and such person shall not earn membership service for such employment. The employer's contribution rate shall be paid by the hiring employer into the public education employee retirement system established by sections 169.600 to 169.715. If such a person is employed in any

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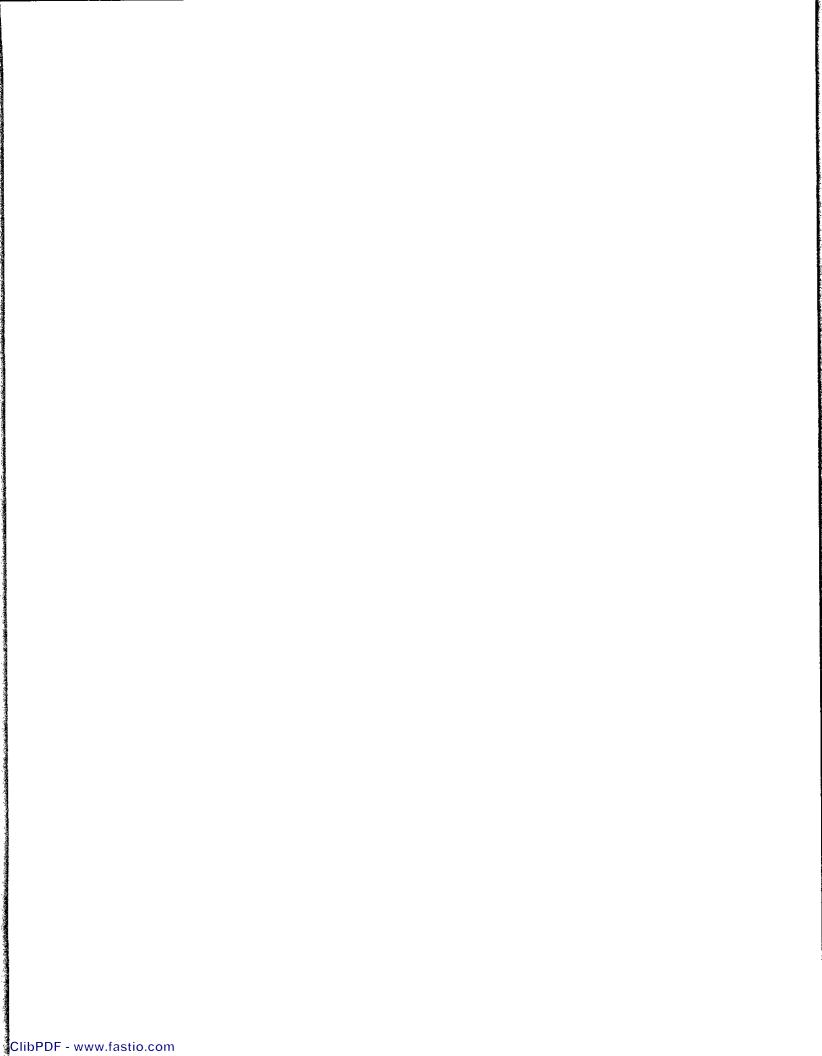
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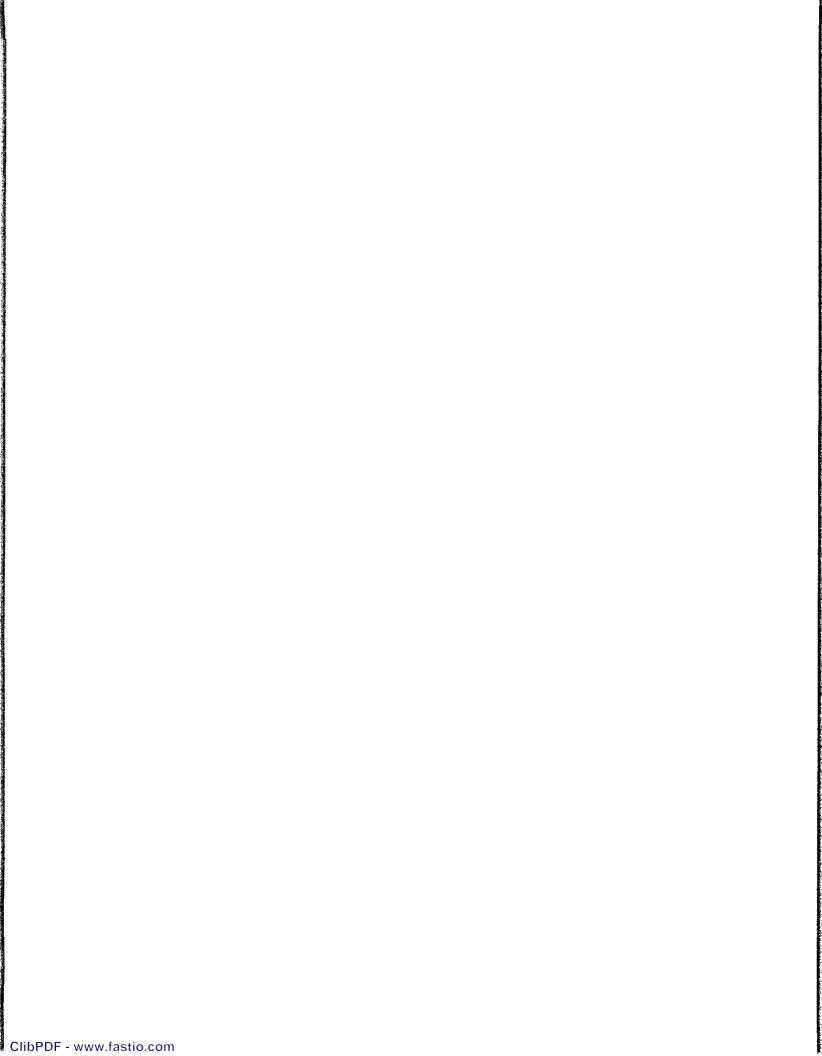
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capacity by an employer in excess of the limitations set forth in this subsection, the person shall not be eligible to receive the person's retirement allowance for any month during which the person is so employed. In addition, such person shall become a member of and contribute to any retirement system described in this subsection if the person satisfies the retirement system's membership eligibility requirements. The provisions of this subsection shall not apply to any person retired and currently receiving a retirement allowance in accordance with sections 169.010 to 169.141 employed by a public community college.

- 3. Notwithstanding any other provisions of the law to the contrary, for the 2019 calendar year, the amount to be paid by each community college to the board of trustees of the retirement system for funding purposes of the public education employee retirement system of Missouri shall be adjusted as follows:
- (1) No later than August 30, 2019, the board of trustees of the retirement system shall calculate the amount paid by the college pursuant to this section from August 27, 2018, until the effective date of this act and provide the amount calculated to each college; and
- (2) The amount to be remitted by each college for the remainder of the 2019 calendar year shall be reduced by the amount stated by the board of trustees of the retirement system.

The adjustment made pursuant to this subsection shall not affect any payments by the colleges to the board of trustees of the retirement system after December 31, 2019, nor shall such adjustments affect payments by the board of trustees of the retirement system to any retiree."; and



1 Further amend the title and enacting clause accordingly.

