

House _____ Amendment NO. _____

Offered By

1 AMEND Senate Bill No. 20, Page 2, Section 104.160, Line 43, by inserting after all of the said
2 section and line the following:

3
4 "169.070. 1. The retirement allowance of a member whose age at retirement is sixty years
5 or more and whose creditable service is five years or more, or whose sum of age and creditable
6 service equals eighty years or more, or who has attained age fifty-five and whose creditable service
7 is twenty-five years or more or whose creditable service is thirty years or more regardless of age,
8 may be the sum of the following items, not to exceed one hundred percent of the member's final
9 average salary:

10 (1) Two and five-tenths percent of the member's final average salary for each year of
11 membership service;

12 (2) Six-tenths of the amount payable for a year of membership service for each year of prior
13 service not exceeding thirty years.

14
15 In lieu of the retirement allowance otherwise provided in subdivisions (1) and (2) of this subsection,
16 a member may elect to receive a retirement allowance of:

17 (3) Two and four-tenths percent of the member's final average salary for each year of
18 membership service, if the member's creditable service is twenty-nine years or more but less than
19 thirty years, and the member has not attained age fifty-five;

20 (4) Two and thirty-five-hundredths percent of the member's final average salary for each
21 year of membership service, if the member's creditable service is twenty-eight years or more but less
22 than twenty-nine years, and the member has not attained age fifty-five;

23 (5) Two and three-tenths percent of the member's final average salary for each year of
24 membership service, if the member's creditable service is twenty-seven years or more but less than
25 twenty-eight years, and the member has not attained age fifty-five;

26 (6) Two and twenty-five-hundredths percent of the member's final average salary for each
27 year of membership service, if the member's creditable service is twenty-six years or more but less
28 than twenty-seven years, and the member has not attained age fifty-five;

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1 (7) Two and two-tenths percent of the member's final average salary for each year of
2 membership service, if the member's creditable service is twenty-five years or more but less than
3 twenty-six years, and the member has not attained age fifty-five;

4 (8) ~~[Between July 1, 2001, and July 1, 2014,]~~ Two and fifty-five hundredths percent of the
5 member's final average salary for each year of membership service, if the member's creditable
6 service is ~~[thirty-one]~~ thirty-two years or more regardless of age.

7 2. In lieu of the retirement allowance provided in subsection 1 of this section, a member
8 whose age is sixty years or more on September 28, 1975, may elect to have the member's retirement
9 allowance calculated as a sum of the following items:

10 (1) Sixty cents plus one and five-tenths percent of the member's final average salary for
11 each year of membership service;

12 (2) Six-tenths of the amount payable for a year of membership service for each year of prior
13 service not exceeding thirty years;

14 (3) Three-fourths of one percent of the sum of subdivisions (1) and (2) of this subsection for
15 each month of attained age in excess of sixty years but not in excess of age sixty-five.

16 3. (1) In lieu of the retirement allowance provided either in subsection 1 or 2 of this section,
17 collectively called "option 1", a member whose creditable service is twenty-five years or more or
18 who has attained the age of fifty-five with five or more years of creditable service may elect in the
19 member's application for retirement to receive the actuarial equivalent of the member's retirement
20 allowance in reduced monthly payments for life during retirement with the provision that:

21 Option 2.

22 Upon the member's death the reduced retirement allowance shall be continued throughout
23 the life of and paid to such person as has an insurable interest in the life of the member as the
24 member shall have nominated in the member's election of the option, and provided further that if the
25 person so nominated dies before the retired member, the retirement allowance will be increased to
26 the amount the retired member would be receiving had the retired member elected option 1; or

27 Option 3.

28 Upon the death of the member three-fourths of the reduced retirement allowance shall be
29 continued throughout the life of and paid to such person as has an insurable interest in the life of the
30 member and as the member shall have nominated in an election of the option, and provided further
31 that if the person so nominated dies before the retired member, the retirement allowance will be
32 increased to the amount the retired member would be receiving had the member elected option 1; or

33 Option 4.

34 Upon the death of the member one-half of the reduced retirement allowance shall be
35 continued throughout the life of, and paid to, such person as has an insurable interest in the life of
36 the member and as the member shall have nominated in an election of the option, and provided
37 further that if the person so nominated dies before the retired member, the retirement allowance

1 shall be increased to the amount the retired member would be receiving had the member elected
2 option 1; or

3 Option 5.

4 Upon the death of the member prior to the member having received one hundred twenty
5 monthly payments of the member's reduced allowance, the remainder of the one hundred twenty
6 monthly payments of the reduced allowance shall be paid to such beneficiary as the member shall
7 have nominated in the member's election of the option or in a subsequent nomination. If there is no
8 beneficiary so nominated who survives the member for the remainder of the one hundred twenty
9 monthly payments, the total of the remainder of such one hundred twenty monthly payments shall
10 be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares,
11 or estate of the last person, in that order of precedence, to receive a monthly allowance in a lump
12 sum payment. If the total of the one hundred twenty payments paid to the retired individual and the
13 beneficiary of the retired individual is less than the total of the member's accumulated contributions,
14 the difference shall be paid to the beneficiary in a lump sum; or

15 Option 6.

16 Upon the death of the member prior to the member having received sixty monthly payments
17 of the member's reduced allowance, the remainder of the sixty monthly payments of the reduced
18 allowance shall be paid to such beneficiary as the member shall have nominated in the member's
19 election of the option or in a subsequent nomination. If there is no beneficiary so nominated who
20 survives the member for the remainder of the sixty monthly payments, the total of the remainder of
21 such sixty monthly payments shall be paid to the surviving spouse, surviving children in equal
22 shares, surviving parents in equal shares, or estate of the last person, in that order of precedence, to
23 receive a monthly allowance in a lump sum payment. If the total of the sixty payments paid to the
24 retired individual and the beneficiary of the retired individual is less than the total of the member's
25 accumulated contributions, the difference shall be paid to the beneficiary in a lump sum.

26 (2) The election of an option may be made only in the application for retirement and such
27 application must be filed prior to the date on which the retirement of the member is to be effective.
28 If either the member or the person nominated to receive the survivorship payments dies before the
29 effective date of retirement, the option shall not be effective, provided that:

30 (a) If the member or a person retired on disability retirement dies after acquiring twenty-five
31 or more years of creditable service or after attaining the age of fifty-five years and acquiring five or
32 more years of creditable service and before retirement, except retirement with disability benefits,
33 and the person named by the member as the member's beneficiary has an insurable interest in the
34 life of the deceased member, the designated beneficiary may elect to receive either survivorship
35 benefits under option 2 or a payment of the accumulated contributions of the member. If
36 survivorship benefits under option 2 are elected and the member at the time of death would have
37 been eligible to receive an actuarial equivalent of the member's retirement allowance, the designated

1 beneficiary may further elect to defer the option 2 payments until the date the member would have
2 been eligible to receive the retirement allowance provided in subsection 1 or 2 of this section;

3 (b) If the member or a person retired on disability retirement dies before attaining age fifty-
4 five but after acquiring five but fewer than twenty-five years of creditable service, and the person
5 named as the member's beneficiary has an insurable interest in the life of the deceased member, the
6 designated beneficiary may elect to receive either a payment of the member's accumulated
7 contributions, or survivorship benefits under option 2 to begin on the date the member would first
8 have been eligible to receive an actuarial equivalent of the member's retirement allowance, or to
9 begin on the date the member would first have been eligible to receive the retirement allowance
10 provided in subsection 1 or 2 of this section.

11 4. If the total of the retirement or disability allowance paid to an individual before the death
12 of the individual is less than the accumulated contributions at the time of retirement, the difference
13 shall be paid to the beneficiary of the individual, or to the surviving spouse, surviving children in
14 equal shares, surviving parents in equal shares, or estate of the individual in that order of
15 precedence. If an optional benefit as provided in option 2, 3 or 4 in subsection 3 of this section had
16 been elected, and the beneficiary dies after receiving the optional benefit, and if the total retirement
17 allowance paid to the retired individual and the beneficiary of the retired individual is less than the
18 total of the contributions, the difference shall be paid to the surviving spouse, surviving children in
19 equal shares, surviving parents in equal shares, or estate of the beneficiary, in that order of
20 precedence, unless the retired individual designates a different recipient with the board at or after
21 retirement.

22 5. If a member dies and his or her financial institution is unable to accept the final payment
23 or payments due to the member, the final payment or payments shall be paid to the beneficiary of
24 the member or, if there is no beneficiary, to the surviving spouse, surviving children in equal shares,
25 surviving parents in equal shares, or estate of the member, in that order of precedence, unless
26 otherwise stated. If the beneficiary of a deceased member dies and his or her financial institution is
27 unable to accept the final payment or payments, the final payment or payments shall be paid to the
28 surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of
29 the member, in that order of precedence, unless otherwise stated.

30 6. If a member dies before receiving a retirement allowance, the member's accumulated
31 contributions at the time of the death of the member shall be paid to the beneficiary of the member
32 or, if there is no beneficiary, to the surviving spouse, surviving children in equal shares, surviving
33 parents in equal shares, or to the estate of the member, in that order of precedence; except that, no
34 such payment shall be made if the beneficiary elects option 2 in subsection 3 of this section, unless
35 the beneficiary dies before having received benefits pursuant to that subsection equal to the
36 accumulated contributions of the member, in which case the amount of accumulated contributions in
37 excess of the total benefits paid pursuant to that subsection shall be paid to the surviving spouse,
38 surviving children in equal shares, surviving parents in equal shares, or estate of the beneficiary, in
39 that order of precedence.

1 7. If a member ceases to be a public school employee as herein defined and certifies to the
2 board of trustees that such cessation is permanent, or if the membership of the person is otherwise
3 terminated, the member shall be paid the member's accumulated contributions with interest.

4 8. Notwithstanding any provisions of sections 169.010 to 169.141 to the contrary, if a
5 member ceases to be a public school employee after acquiring five or more years of membership
6 service in Missouri, the member may at the option of the member leave the member's contributions
7 with the retirement system and claim a retirement allowance any time after reaching the minimum
8 age for voluntary retirement. When the member's claim is presented to the board, the member shall
9 be granted an allowance as provided in sections 169.010 to 169.141 on the basis of the member's
10 age, years of service, and the provisions of the law in effect at the time the member requests the
11 member's retirement to become effective.

12 9. The retirement allowance of a member retired because of disability shall be nine-tenths of
13 the allowance to which the member's creditable service would entitle the member if the member's
14 age were sixty, or fifty percent of one-twelfth of the annual salary rate used in determining the
15 member's contributions during the last school year for which the member received a year of
16 creditable service immediately prior to the member's disability, whichever is greater, except that no
17 such allowance shall exceed the retirement allowance to which the member would have been
18 entitled upon retirement at age sixty if the member had continued to teach from the date of disability
19 until age sixty at the same salary rate.

20 10. Notwithstanding any provisions of sections 169.010 to 169.141 to the contrary, from
21 October 13, 1961, the contribution rate pursuant to sections 169.010 to 169.141 shall be multiplied
22 by the factor of two-thirds for any member of the system for whom federal Old Age and Survivors
23 Insurance tax is paid from state or local tax funds on account of the member's employment entitling
24 the person to membership in the system. The monetary benefits for a member who elected not to
25 exercise an option to pay into the system a retroactive contribution of four percent on that part of the
26 member's annual salary rate which was in excess of four thousand eight hundred dollars but not in
27 excess of eight thousand four hundred dollars for each year of employment in a position covered by
28 this system between July 1, 1957, and July 1, 1961, as provided in subsection 10 of this section as it
29 appears in RSMo, 1969, shall be the sum of:

30 (1) For years of service prior to July 1, 1946, six-tenths of the full amount payable for years
31 of membership service;

32 (2) For years of membership service after July 1, 1946, in which the full contribution rate
33 was paid, full benefits under the formula in effect at the time of the member's retirement;

34 (3) For years of membership service after July 1, 1957, and prior to July 1, 1961, the
35 benefits provided in this section as it appears in RSMo, 1959; except that if the member has at least
36 thirty years of creditable service at retirement the member shall receive the benefit payable pursuant
37 to that section as though the member's age were sixty-five at retirement;

1 (4) For years of membership service after July 1, 1961, in which the two-thirds contribution
2 rate was paid, two-thirds of the benefits under the formula in effect at the time of the member's
3 retirement.

4 11. The monetary benefits for each other member for whom federal Old Age and Survivors
5 Insurance tax is or was paid at any time from state or local funds on account of the member's
6 employment entitling the member to membership in the system shall be the sum of:

7 (1) For years of service prior to July 1, 1946, six-tenths of the full amount payable for years
8 of membership service;

9 (2) For years of membership service after July 1, 1946, in which the full contribution rate
10 was paid, full benefits under the formula in effect at the time of the member's retirement;

11 (3) For years of membership service after July 1, 1957, in which the two-thirds contribution
12 rate was paid, two-thirds of the benefits under the formula in effect at the time of the member's
13 retirement.

14 12. Any retired member of the system who was retired prior to September 1, 1972, or
15 beneficiary receiving payments under option 1 or option 2 of subsection 3 of this section, as such
16 option existed prior to September 1, 1972, will be eligible to receive an increase in the retirement
17 allowance of the member of two percent for each year, or major fraction of more than one-half of a
18 year, which the retired member has been retired prior to July 1, 1975. This increased amount shall
19 be payable commencing with January, 1976, and shall thereafter be referred to as the member's
20 retirement allowance. The increase provided for in this subsection shall not affect the retired
21 member's eligibility for compensation provided for in section 169.580 or 169.585, nor shall the
22 amount being paid pursuant to these sections be reduced because of any increases provided for in
23 this section.

24 13. If the board of trustees determines that the cost of living, as measured by generally
25 accepted standards, increases two percent or more in the preceding fiscal year, the board shall
26 increase the retirement allowances which the retired members or beneficiaries are receiving by two
27 percent of the amount being received by the retired member or the beneficiary at the time the annual
28 increase is granted by the board with the provision that the increases provided for in this subsection
29 shall not become effective until the fourth January first following the member's retirement or
30 January 1, 1977, whichever later occurs, or in the case of any member retiring on or after July 1,
31 2000, the increase provided for in this subsection shall not become effective until the third January
32 first following the member's retirement, or in the case of any member retiring on or after July 1,
33 2001, the increase provided for in this subsection shall not become effective until the second
34 January first following the member's retirement. Commencing with January 1, 1992, if the board of
35 trustees determines that the cost of living has increased five percent or more in the preceding fiscal
36 year, the board shall increase the retirement allowances by five percent. The total of the increases
37 granted to a retired member or the beneficiary after December 31, 1976, may not exceed eighty
38 percent of the retirement allowance established at retirement or as previously adjusted by other
39 subsections. If the cost of living increases less than five percent, the board of trustees may

1 determine the percentage of increase to be made in retirement allowances, but at no time can the
2 increase exceed five percent per year. If the cost of living decreases in a fiscal year, there will be no
3 increase in allowances for retired members on the following January first.

4 14. The board of trustees may reduce the amounts which have been granted as increases to a
5 member pursuant to subsection 13 of this section if the cost of living, as determined by the board
6 and as measured by generally accepted standards, is less than the cost of living was at the time of
7 the first increase granted to the member; except that, the reductions shall not exceed the amount of
8 increases which have been made to the member's allowance after December 31, 1976.

9 15. Any application for retirement shall include a sworn statement by the member certifying
10 that the spouse of the member at the time the application was completed was aware of the
11 application and the plan of retirement elected in the application.

12 16. Notwithstanding any other provision of law, any person retired prior to September 28,
13 1983, who is receiving a reduced retirement allowance under option 1 or option 2 of subsection 3 of
14 this section, as such option existed prior to September 28, 1983, and whose beneficiary nominated to
15 receive continued retirement allowance payments under the elected option dies or has died, shall
16 upon application to the board of trustees have his or her retirement allowance increased to the
17 amount he or she would have been receiving had the option not been elected, actuarially adjusted to
18 recognize any excessive benefits which would have been paid to him or her up to the time of
19 application.

20 17. Benefits paid pursuant to the provisions of the public school retirement system of
21 Missouri shall not exceed the limitations of Section 415 of Title 26 of the United States Code except
22 as provided pursuant to this subsection. Notwithstanding any other law to the contrary, the board of
23 trustees may establish a benefit plan pursuant to Section 415(m) of Title 26 of the United States
24 Code. Such plan shall be created solely for the purpose described in Section 415(m)(3)(A) of Title
25 26 of the United States Code. The board of trustees may promulgate regulations necessary to
26 implement the provisions of this subsection and to create and administer such benefit plan.

27 18. Notwithstanding any other provision of law to the contrary, any person retired before,
28 on, or after May 26, 1994, shall be made, constituted, appointed and employed by the board as a
29 special consultant on the matters of education, retirement and aging, and upon request shall give
30 written or oral opinions to the board in response to such requests. As compensation for such duties
31 the person shall receive an amount based on the person's years of service so that the total amount
32 received pursuant to sections 169.010 to 169.141 shall be at least the minimum amounts specified in
33 subdivisions (1) to (4) of this subsection. In determining the minimum amount to be received, the
34 amounts in subdivisions (3) and (4) of this subsection shall be adjusted in accordance with the
35 actuarial adjustment, if any, that was applied to the person's retirement allowance. In determining
36 the minimum amount to be received, beginning September 1, 1996, the amounts in subdivisions (1)
37 and (2) of this subsection shall be adjusted in accordance with the actuarial adjustment, if any, that
38 was applied to the person's retirement allowance due to election of an optional form of retirement
39 having a continued monthly payment after the person's death. Notwithstanding any other provision

1 of law to the contrary, no person retired before, on, or after May 26, 1994, and no beneficiary of
2 such a person, shall receive a retirement benefit pursuant to sections 169.010 to 169.141 based on
3 the person's years of service less than the following amounts:

- 4 (1) Thirty or more years of service, one thousand two hundred dollars;
- 5 (2) At least twenty-five years but less than thirty years, one thousand dollars;
- 6 (3) At least twenty years but less than twenty-five years, eight hundred dollars;
- 7 (4) At least fifteen years but less than twenty years, six hundred dollars.

8 19. Notwithstanding any other provisions of law to the contrary, any person retired prior to
9 May 26, 1994, and any designated beneficiary of such a retired member who was deceased prior to
10 July 1, 1999, shall be made, constituted, appointed and employed by the board as a special
11 consultant on the matters of education, retirement or aging and upon request shall give written or
12 oral opinions to the board in response to such requests. Beginning September 1, 1996, as
13 compensation for such service, the member shall have added, pursuant to this subsection, to the
14 member's monthly annuity as provided by this section a dollar amount equal to the lesser of sixty
15 dollars or the product of two dollars multiplied by the member's number of years of creditable
16 service. Beginning September 1, 1999, the designated beneficiary of the deceased member shall as
17 compensation for such service have added, pursuant to this subsection, to the monthly annuity as
18 provided by this section a dollar amount equal to the lesser of sixty dollars or the product of two
19 dollars multiplied by the member's number of years of creditable service. The total compensation
20 provided by this section including the compensation provided by this subsection shall be used in
21 calculating any future cost-of-living adjustments provided by subsection 13 of this section.

22 20. Any member who has retired prior to July 1, 1998, and the designated beneficiary of a
23 deceased retired member shall be made, constituted, appointed and employed by the board as a
24 special consultant on the matters of education, retirement and aging, and upon request shall give
25 written or oral opinions to the board in response to such requests. As compensation for such duties
26 the person shall receive a payment equivalent to eight and seven-tenths percent of the previous
27 month's benefit, which shall be added to the member's or beneficiary's monthly annuity and which
28 shall not be subject to the provisions of subsections 13 and 14 of this section for the purposes of the
29 limit on the total amount of increases which may be received.

30 21. Any member who has retired shall be made, constituted, appointed and employed by the
31 board as a special consultant on the matters of education, retirement and aging, and upon request
32 shall give written or oral opinions to the board in response to such request. As compensation for
33 such duties, the beneficiary of the retired member, or, if there is no beneficiary, the surviving spouse,
34 surviving children in equal shares, surviving parents in equal shares, or estate of the retired member,
35 in that order of precedence, shall receive as a part of compensation for these duties a death benefit of
36 five thousand dollars.

37 22. Any member who has retired prior to July 1, 1999, and the designated beneficiary of a
38 retired member who was deceased prior to July 1, 1999, shall be made, constituted, appointed and
39 employed by the board as a special consultant on the matters of education, retirement and aging, and

1 upon request shall give written or oral opinions to the board in response to such requests. As
 2 compensation for such duties, the person shall have added, pursuant to this subsection, to the
 3 monthly annuity as provided by this section a dollar amount equal to five dollars times the member's
 4 number of years of creditable service.

5 23. Any member who has retired prior to July 1, 2000, and the designated beneficiary of a
 6 deceased retired member shall be made, constituted, appointed and employed by the board as a
 7 special consultant on the matters of education, retirement and aging, and upon request shall give
 8 written or oral opinions to the board in response to such requests. As compensation for such duties,
 9 the person shall receive a payment equivalent to three and five-tenths percent of the previous
 10 month's benefit, which shall be added to the member or beneficiary's monthly annuity and which
 11 shall not be subject to the provisions of subsections 13 and 14 of this section for the purposes of the
 12 limit on the total amount of increases which may be received.

13 24. Any member who has retired prior to July 1, 2001, and the designated beneficiary of a
 14 deceased retired member shall be made, constituted, appointed and employed by the board as a
 15 special consultant on the matters of education, retirement and aging, and upon request shall give
 16 written or oral opinions to the board in response to such requests. As compensation for such duties,
 17 the person shall receive a dollar amount equal to three dollars times the member's number of years
 18 of creditable service, which shall be added to the member's or beneficiary's monthly annuity and
 19 which shall not be subject to the provisions of subsections 13 and 14 of this section for the purposes
 20 of the limit on the total amount of increases which may be received.

21 169.331. 1. Notwithstanding any other provision of sections 169.270 to 169.400 to the
 22 contrary, a retired certificated teacher receiving a retirement benefit from the retirement system
 23 established pursuant to sections 169.270 to 169.400 may, without losing his or her retirement
 24 benefit, teach full time for up to ~~two~~ four years for a school district covered by such retirement
 25 system; provided that the school district has a shortage of certified teachers, as determined by the
 26 school district. The total number of such retired certificated teachers shall not exceed, at any one
 27 time, ~~fifteen~~ thirty certificated teachers.

28 2. The employer's contribution rate shall be paid by the hiring school district and the
 29 employee's contribution rate shall be paid by the employee.

30 3. Any additional actuarial costs resulting from the hiring of a retired certificated teacher
 31 pursuant to the provisions of this section shall be paid by the hiring school district.

32 4. In order to hire teachers pursuant to the provisions of this section, the school district shall:

- 33 (1) Show a good faith effort to fill positions with nonretired certificated teachers;
- 34 (2) Post the vacancy for at least one month;
- 35 (3) Have not offered early retirement incentives for either of the previous two years;
- 36 (4) Solicit applications through the local newspaper, other media, or teacher education
 37 programs;

38 (5) Determine there is an insufficient number of eligible applicants for the advertised
 39 position; and

40 (6) Declare a critical shortage of certificated teachers that is active for one year.

41 5. Any person hired pursuant to this section shall be included in the State Director of New
 42 Hires for purposes of income and eligibility verification pursuant to 42 U.S.C. Section 1320b-7.

43 169.560. 1. Any person retired and currently receiving a retirement allowance pursuant to
 44 sections 169.010 to 169.141, other than for disability, may be employed in any capacity for an

1 employer included in the retirement system created by those sections on either a part-time or
 2 temporary-substitute basis not to exceed a total of five hundred fifty hours in any one school year,
 3 and through such employment may earn up to fifty percent of the annual compensation payable
 4 under the employer's salary schedule for the position or positions filled by the retiree, given such
 5 person's level of experience and education, without a discontinuance of the person's retirement
 6 allowance. If the employer does not utilize a salary schedule, or if the position in question is not
 7 subject to the employer's salary schedule, a retiree employed in accordance with the provisions of
 8 this subsection may earn up to fifty percent of the annual compensation paid to the person or
 9 persons who last held such position or positions. If the position or positions did not previously
 10 exist, the compensation limit shall be determined in accordance with rules duly adopted by the
 11 board of trustees of the retirement system; provided that, it shall not exceed fifty percent of the
 12 annual compensation payable for the position by the employer that is most comparable to the
 13 position filled by the retiree. In any case where a retiree fills more than one position during the
 14 school year, the fifty-percent limit on permitted earning shall be based solely on the annual
 15 compensation of the highest paid position occupied by the retiree for at least one-fifth of the total
 16 hours worked during the year. Such a person shall not contribute to the retirement system or to the
 17 public education employee retirement system established by sections 169.600 to 169.715 because of
 18 earnings during such period of employment. If such a person is employed in any capacity by such
 19 an employer in excess of the limitations set forth in this subsection, the person shall not be eligible
 20 to receive the person's retirement allowance for any month during which the person is so employed.
 21 In addition, such person shall contribute to the retirement system if the person satisfies the
 22 retirement system's membership eligibility requirements. In addition to the conditions set forth
 23 above, this subsection shall apply to any person retired and currently receiving a retirement
 24 allowance under sections 169.010 to 169.141, other than for disability, who is employed by a third
 25 party or is performing work as an independent contractor, if such person is performing work for an
 26 employer included in the retirement system as a temporary or long-term substitute teacher or in any
 27 other position that would normally require that person to be duly certificated under the laws
 28 governing the certification of teachers in Missouri if such person was employed by the district. The
 29 retirement system may require the employer, the third-party employer, the independent contractor,
 30 and the retiree subject to this subsection to provide documentation showing compliance with this
 31 subsection. If such documentation is not provided, the retirement system may deem the retiree to
 32 have exceeded the limitations provided in this subsection.

33 2. Notwithstanding any other provision of this section, any person retired and currently
 34 receiving a retirement allowance in accordance with sections 169.010 to 169.141, other than for
 35 disability, may be employed by an employer included in the retirement system created by those
 36 sections in a position that does not normally require a person employed in that position to be duly
 37 certificated under the laws governing the certification of teachers in Missouri, and through such
 38 employment may earn, beginning on August 28, 2023, and ending on June 30, 2028, up to [sixty
 39 percent of the minimum teacher's salary as set forth in section 163.172] one hundred thirty-three

percent of the annual earnings exemption amount applicable to a Social Security recipient before the calendar year of attainment of full retirement age under 20 CFR 404.430, and, after June 30, 2028, up to the annual earnings exemption amount applicable to a Social Security retirement recipient before the calendar year of attainment of full retirement age under 20 CFR 404.430, without a discontinuance of the person's retirement allowance from the retirement system. The Social Security annual earnings exemption amount applied shall be the exemption amount in effect for the calendar year in which the school year begins. 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 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 or employer under subsection 4 of section 169.130.

169.596. 1. Notwithstanding any other provision of this chapter to the contrary, a retired certificated teacher receiving a retirement benefit from the retirement system established pursuant to sections 169.010 to 169.141 may, without losing his or her retirement benefit, teach full time for up to ~~two~~ four years for a school district covered by such retirement system; provided that the school district has a shortage of certified teachers, as determined by the school district, and provided that no such retired certificated teacher shall be employed as a superintendent. The total number of such retired certificated teachers shall not exceed, at any one time, the ~~lesser of ten~~ greater of one percent of the total ~~teacher~~ certificated teachers and noncertificated staff for that school district, or five certificated teachers.

2. Notwithstanding any other provision of this chapter to the contrary, a person receiving a retirement benefit from the retirement system established pursuant to sections 169.600 to 169.715 may, without losing his or her retirement benefit, be employed full time for up to ~~two~~ four years for a school district covered by such retirement system; provided that the school district has a shortage of noncertificated employees, as determined by the school district. The total number of such retired noncertificated employees shall not exceed, at any one time, the lesser of ten percent of the total noncertificated staff for that school district, or five employees.

3. The employer's contribution rate shall be paid by the hiring school district.

4. In order to hire teachers and noncertificated employees pursuant to the provisions of this section, the school district shall:

1 (1) Show a good faith effort to fill positions with nonretired certificated teachers or
2 nonretired noncertificated employees;

3 (2) Post the vacancy for at least one month;

4 (3) Have not offered early retirement incentives for either of the previous two years;

5 (4) Solicit applications through the local newspaper, other media, or teacher education
6 programs;

7 (5) Determine there is an insufficient number of eligible applicants for the advertised
8 position; and

9 (6) Declare a critical shortage of certificated teachers or noncertificated employees that is
10 active for one year.

11 5. Any person hired pursuant to this section shall be included in the State Directory of New
12 Hires for purposes of income and eligibility verification pursuant to 42 U.S.C. Section 1320b-7.";
13 and

14
15 Further amend said bill by amending the title, enacting clause, and intersectional references
16 accordingly.