

FIRST REGULAR SESSION

# HOUSE BILL NO. 257

102ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE POLLITT.

0538H.011

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To repeal section 169.596, RSMo, and to enact in lieu thereof one new section relating to teacher and school employee retirement systems.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 169.596, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 169.596, to read as follows:

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 percent of the total teacher 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.

EXPLANATION — Matter enclosed in bold-faced brackets [~~thus~~] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

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

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

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

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

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

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

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

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

31           5. Any person hired pursuant to this section shall be included in the State Directory of  
32 New Hires for purposes of income and eligibility verification pursuant to 42 U.S.C. Section  
33 1320b-7.

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