

FEB 3 2000

STATE GOVERNMENT

HOUSE FILE  
BY MASCHER

**2134**

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
 Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
 Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to establishing a bona fide retirement for school  
 2 employees in the Iowa public employees' retirement system.  
 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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**HF 2134**

1 Section 1. Section 97B.52A, subsection 1, paragraph b,  
2 Code 1999, is amended to read as follows:

3 b. For a member whose first month of entitlement is July  
4 1998 or later, the member does not return to any employment  
5 with a covered employer until the member has qualified for no  
6 fewer than four calendar months of retirement benefits.

7 However, for a member who was employed by a school corporation  
8 or educational institution at the time of termination and  
9 whose first month of entitlement is July 2000 or later, the  
10 member may return to employment with a covered employer that  
11 is a school or educational institution and be considered to  
12 have a bona fide retirement if the member has qualified for no  
13 fewer than one month of retirement benefits.

14 Sec. 2. Section 97B.52A, subsection 2, Code 1999, is  
15 amended to read as follows:

16 2. A member may commence receiving retirement benefits  
17 under this chapter upon satisfying eligibility requirements.  
18 However, a retired member who commences receiving a retirement  
19 allowance but ~~returns-to-employment-before-qualifying-for-no~~  
20 ~~fewer-than-four-calendar-months-of-retirement-benefits~~ fails  
21 to meet the applicable requirements of subsection 1 does not  
22 have a bona fide retirement and any retirement allowance  
23 received by such a member must be returned to the system  
24 together with interest earned on the retirement allowance  
25 calculated at a rate determined by the department. Until the  
26 member has repaid the retirement allowance and interest, the  
27 department may withhold any future retirement allowance for  
28 which the member may qualify.

29 EXPLANATION

30 This bill provides that, beginning in July 2000, a member  
31 of the Iowa public employees' retirement system (IPERS) who  
32 was employed by a school at the time of retirement may return  
33 to employment with a school after one month of receiving  
34 retirement benefits and remain eligible to continue to receive  
35 retirement benefits. Under current law, a member of IPERS can

1 not return to any employment with an employer covered by  
2 IPERS, such as a school, until the member has received four  
3 months of retirement benefits.

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