

FILED JAN 31 2000

SENATE FILE

2064

BY DVORSKY

Passed Senate, Date _____

Passed House, 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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SF 2064 STATE GOVERNMENT

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 terminated
13 employment at the end of a school year and does not return to
14 employment for thirty days after the resumption of classes in
15 the next school year.

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

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

31 EXPLANATION

32 This bill provides that, beginning in July 2000, a member
33 of the Iowa public employees' retirement system (IPERS) who
34 was employed by a school at the time of retirement and who
35 retired at the end of a school year may return to employment

1 with a school after one month after the resumption of classes
2 of the next school year and remain eligible to continue to
3 receive retirement benefits. Under current law, a member of
4 IPERS cannot return to any employment with an employer covered
5 by IPERS, such as a school, until the member has received four
6 months of retirement benefits.

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