

**Senate Study Bill 3007 - Introduced**

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED IOWA PUBLIC  
EMPLOYEES' RETIREMENT  
SYSTEM BILL)

**A BILL FOR**

1 An Act concerning bona fide retirement requirements under the  
2 Iowa public employees' retirement system and including  
3 effective date and retroactive applicability provisions.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 97B.52A, subsection 1, paragraph c, Code  
2 2009, is amended to read as follows:

3 c. (1) For a member whose first month of entitlement  
4 is July 2000 or later, the member does not return to any  
5 employment with a covered employer until the member has  
6 qualified for at least one calendar month of retirement  
7 benefits, and the member does not return to covered employment  
8 until the member has qualified for no fewer than four calendar  
9 months of retirement benefits.

10 (2) For purposes of determining a bona fide retirement  
11 under this paragraph "c", effective the following provisions  
12 apply:

13 (a) Effective July 1, 2000, any employment with a covered  
14 employer does not include employment as an elective official  
15 or member of the general assembly if the member is not covered  
16 under this chapter for that employment.

17 (b) ~~For purposes of determining a bona fide retirement~~  
18 ~~under this paragraph and for a member whose first month of~~  
19 ~~entitlement is July 2004 or later, but before July 2010~~ 2011,  
20 covered employment does not include employment as a licensed  
21 health care professional by a public hospital as defined in  
22 section 249J.3, with the exception of public hospitals governed  
23 pursuant to chapter 226.

24 (c) Effective May 25, 2008, any employment with a covered  
25 employer does not include noncovered employment as a member of  
26 the national guard called to state active duty as defined in  
27 section 29A.1.

28 Sec. 2. EFFECTIVE UPON ENACTMENT. The provision of this  
29 Act enacting section 97B.52A, subsection 1, paragraph "c",  
30 subparagraph (2), subparagraph division (c), being deemed of  
31 immediate importance, takes effect upon enactment.

32 Sec. 3. RETROACTIVE APPLICABILITY. The provision of  
33 this Act enacting section 97B.52A, subsection 1, paragraph  
34 "c", subparagraph (2), subparagraph division (c), applies  
35 retroactively to May 25, 2008.

1

EXPLANATION

2 This bill concerns the determination of a bona fide  
3 retirement under the Iowa public employees' retirement system  
4 (IPERS).

5 Current law allows, until July 2010, a person to retire,  
6 receive retirement benefits, and to return to covered  
7 employment as a licensed health care professional at a public  
8 hospital after one month and still receive retirement benefits.  
9 Most retirees under IPERS are not allowed to return to covered  
10 employment and continue to receive retirement benefits until  
11 at least four months after they retire. The bill extends  
12 the sunset of this shortened period for licensed health care  
13 professionals from July 2010 to July 2011.

14 The bill also provides that a person retired under IPERS may  
15 return to noncovered employment as a member of the national  
16 guard called to state active duty at any time for purposes of  
17 determining a bona fide retirement under IPERS. This provision  
18 takes effect upon enactment and applies retroactively to May  
19 25, 2008.