

JAN 11 2006
STATE GOVERNMENT

HOUSE FILE 2035
BY THOMAS

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act providing for eligibility to receive retirement benefits
2 under the Iowa public employees' retirement system by
3 establishing what constitutes a bona fide retirement for
4 teachers in a teacher shortage area.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2035

1 Section 1. Section 97B.52A, subsection 1, paragraph c,
2 Code Supplement 2005, is amended to read as follows:

3 c. (1) For a member whose first month of entitlement is
4 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, the following apply:

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

16 (b) For purposes-of-determining-a-bona-fide-retirement
17 under-this-paragraph-and-for a member whose first month of
18 entitlement is July 2004 or later, but before July 2006,
19 covered employment does not include employment as a licensed
20 health care professional by a public hospital as defined in
21 section 249J.3, with the exception of public hospitals
22 governed pursuant to chapter 226.

23 (c) For a member whose first month of entitlement is July
24 2006 or later, covered employment does not include employment
25 as a teacher in a teacher shortage area as designated by the
26 director of the department of education pursuant to section
27 261.111.

28 EXPLANATION

29 This bill provides that a member of IPERS can retire and be
30 reemployed as a teacher in a designated teacher shortage area
31 after having qualified for one calendar month of retirement
32 benefits. Under current law, a member of IPERS could not
33 return to any full-time teaching position covered by IPERS for
34 four months following retirement.

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