## GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2001

## SENATE BILL 805

Short Title:	Encourage Retired Teachers to Teach.	(Public)
Sponsors:	Senators Forrester; Carpenter, Cunningham, Foxx, Martin of Guilford, and Rucho.	Garwood, Hoyle,
Referred to:	Education/Higher Education.	

## April 3, 2001

1	A BILL TO BE ENTITLED
2	AN ACT TO ENCOURAGE RETIRED TEACHERS TO RETURN TO THE
3	CLASSROOM.
4	The General Assembly of North Carolina enacts:
5	SECTION 1. G.S. 135-3(8)c., as rewritten by Section 28.24(a) of S.L.
6	1998-212, Section 67 of S.L. 1998-217, and Section 8.24(a) of S.L. 2000-67, reads as
7	rewritten:
8	"c. Should a beneficiary who retired on an early or service
9	retirement allowance under this Chapter be reemployed, or
10	otherwise engaged to perform services, by an employer
11	participating in the Retirement System on a part-time,
12	temporary, interim, or on a fee-for-service basis, whether
13	contractual or otherwise, and if such beneficiary earns an
14	amount in any calendar year which exceeds fifty percent (50%)
15	of the reported compensation, excluding terminal payments,
16	during the 12 months of service preceding the effective date of
17	retirement, or twenty thousand dollars (\$20,000), whichever is
18	greater, as hereinafter indexed, then the retirement allowance
19	shall be suspended as of the first day of the month following the
20	month in which the reemployment earnings exceed the amount
21	above, for the balance of the calendar year. The retirement
22	allowance of the beneficiary shall be reinstated as of January 1
23	of each year following suspension. The amount that may be
24	earned before suspension shall be increased on January 1 of
25	each year by the ratio of the Consumer Price Index to the Index
26	one year earlier, calculated to the nearest tenth of a percent
27	(1/10 of 1%).

## GENERAL ASSEMBLY OF NORTH CAROLINA

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1	The computation of postretirement earnings of a beneficiary
2	under this sub-subdivision, G.S 135-3(8)c., who has been
3	retired at least 12 months one month and has not been employed
4	in any capacity, except as a substitute teacher, with a public
5	school for at least 12 months one month immediately preceding
6	the effective date of reemployment, shall not include earnings
7	while the beneficiary is employed to teach on a substitute,
8	interim, or permanent basis in a public school. The Department
9	of Public Instruction Each local school administrative unit shall
10	certify to the Retirement System that a beneficiary is employed
11	to teach by a local school administrative that unit under the
12	provisions of this sub-subdivision and as a retired teacher as the
13	term is defined under the provisions of G.S. 115C-325(a)(5a).
14	Beneficiaries employed under this sub-subdivision are not
15	entitled to any benefits otherwise provided under this Chapter
16	as a result of this period of employment."
17	<b>SECTION 2.</b> G.S. 115C-325(a)(5a), as enacted by Section 28.24(c) of S.L.
18	1998-212 and rewritten by Section 67.1 of S.L. 1998-217 and Section 8.24(b) of S.L.
19	2000-67, reads as rewritten:
20	"(5a) (Effective until June 30, 2003) "Retired teacher" means a beneficiary
21	of the Teachers' and State Employees' Retirement System of North
22	Carolina who has been retired at least 12 months, one month, has not
23	been employed in any capacity, other than as a substitute teacher, with
24	a local board of education for at least 12 months, one month,
25	immediately preceding the effective date of reemployment, is
26	determined by a local board of education to have had satisfactory
20	performance during the last year of employment by a local board of
28	education, and who is employed to teach as provided in G.S.
28 29	135-3(8)c. A retired teacher shall be treated the same as a probationary
29 30	teacher except that a retired teacher is not eligible for career status."
30 31	
	<b>SECTION 3.</b> This act becomes effective July 1, 2001, and expires July 1, 2002
32	2003.