

February 17, 2009

S 204. RETIRED NURSES RETURN TO WORK. Filed 2/17/09. *TO ENABLE RETIREES OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM TO RETURN TO EMPLOYMENT AS NURSING INSTRUCTORS WITHOUT LOSING RETIREMENT BENEFITS.*

Amends GS 135-3(8)c. as the title indicates. Provides that the computation of postretirement earnings of a retiree under the Teachers' and State Employees' Retirement System (TSERS) will not include the retiree's earnings while the retiree is employed to teach in a permanent full-time or part-time capacity that exceeds 50% of the applicable workweek as a nursing instructor in a certified nursing program for a maximum of three years provided that the retiree meets the following criteria: (1) retires on or before June 1, 2009, regardless of age or years of creditable service, or (2) retires after July 1, 2009, after attaining (i) the age of at least 65 with five years of creditable service; or (ii) the age of at least 60 with 25 years of creditable service; or (iii) 30 years of service. Additionally requires that the retiree must have been retired for at least six months and must not have been employed in any capacity with a state-supported community college or university for at least six months immediately preceding the effective date of reemployment.

Requires that the community college or university must certify to TSERS that it has a shortage of qualified nursing instructors before it may rehire a retired nursing instructor. Provides additional criteria regarding rehiring retired nursing instructors.

Effective July 1, 2009, directs each community college or university that employs a retired nursing instructor under the proposed new provisions of GS 135-3(8)c. to pay to TSERS a Reemployed Nurse Contribution Rate of 11.70% as a percentage of covered salaries being paid to the retired nursing instructors who are exempt from the earnings cap under the proposed provisions and to make monthly reports on the payments to the Retirement Systems Division.

Directs the NC Community College System and the University of North Carolina to make a written report to the General Assembly by January 1, 2011, on the effectiveness of these proposed provisions in addressing the shortage of qualified nursing instructors.

Effective July 1, 2009 and expires June 30, 2013.

Intro. by Purcell.

GS 135

June 22, 2009

SL 2009-137 (S 204). RETIRED NURSES RETURN TO WORK. AN ACT TO ENABLE RETIREES OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM TO RETURN TO EMPLOYMENT AS NURSING INSTRUCTORS WITHOUT LOSING RETIREMENT BENEFITS. Summarized in *Daily Bulletin* 2/17/09. Enacted June 19, 2009. Effective July 1, 2009.