
ASSEMBLY BILL NO. 74—ASSEMBLYMAN THOMAS

PREFILED JANUARY 29, 1999

Referred to Committee on Government Affairs

SUMMARY—Provides that retired public employees may accept certain employment with University and Community College System of Nevada without affecting their retirement benefits. (BDR 23-1342)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to public employment; providing that retired public employees may accept certain employment with the University and Community College System of Nevada without affecting the distribution of their existing retirement allowances; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE
AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** NRS 286.520 is hereby amended to read as follows:
2 286.520 1. Except as otherwise provided in ~~subsections 4, 5 and 6~~
3 ***this section*** and NRS 286.525, the consequences of the employment of a
4 retired employee are:
5 (a) A retired employee who accepts employment or an independent
6 contract with a public employer under this system is disqualified from
7 receiving any allowances under this system for the duration of that
8 employment or contract if:
9 (1) He accepted the employment or contract within 90 calendar days
10 after the effective date of his retirement; or
11 (2) He is employed in a position which is eligible to participate in this
12 system.
13 (b) If a retired employee accepts employment or an independent
14 contract with a public employer under this system more than 90 calendar
15 days after the effective date of his retirement in a position which is not
16 eligible to participate in this system his allowance under this system
17 terminates upon his earning an amount equal to one-half of the average

1 salary for participating public employees who are not police officers or
2 firemen in any fiscal year, for the duration of that employment or contract.

3 (c) If a retired employee accepts employment with an employer who is
4 not a public employer under this system, the employee is entitled to the
5 same allowances as a retired employee who has no employment.

6 2. The retired employee and the public employer shall notify the
7 system:

8 (a) Within 10 days after the first day of an employment or contract
9 governed by paragraph (a) ~~of subsection 1;~~ *of subsection 1;*

10 (b) Within 30 days after the first day of an employment or contract
11 governed by paragraph (b) ~~of subsection 1;~~ *of subsection 1;* and

12 (c) Within 10 days after a retired employee earns more than one-half of
13 the average salary for participating public employees who are not police
14 officers or firemen in any fiscal year from an employment or contract
15 governed by paragraph (b) ~~of subsection 1.~~

16 3. For the purposes of this section, the average salary for participating
17 public employees who are not police officers or firemen must be computed
18 on the basis of the most recent actuarial valuation of the system.

19 4. If a retired employee is chosen by election or appointment to fill an
20 elective public office, he is entitled to the same allowances as a retired
21 employee who has no employment, unless he is serving in the same office
22 in which he served and for which he received service credit as a member.

23 5. The system may waive for one period of 30 days or less a retired
24 employee's disqualification under this section if the public employer
25 certifies in writing, in advance, that the retired employee is recalled to meet
26 an emergency and that no other qualified person is immediately available.

27 6. A person who accepts employment or an independent contract with
28 either house of the legislature or by the legislative counsel bureau is
29 exempt from the provisions of subsections 1 and 2 for the duration of that
30 employment or contract.

31 *7. A person who is a retired employee and who accepts employment*
32 *as a member of the professional staff of the University and Community*
33 *College System of Nevada to teach a course of study or training is exempt*
34 *from the provisions of subsections 1 and 2 for the duration of that*
35 *employment.*