

ASSEMBLY BILL NO. 633—COMMITTEE ON EDUCATION

MARCH 26, 2001

Referred to Committee on Education

SUMMARY—Revises provisions governing public employees' retirement system to authorize certain retired employees to accept employment as teachers. (BDR 23-1300)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: 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 the public employees' retirement system; authorizing certain retired employees to accept employment with school districts as teachers without affecting their receipt of retirement allowances under the system; 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  
18    salary for participating public employees who are not police officers or  
19    firemen in any fiscal year, for the duration of that employment or contract.



1 (c) If a retired employee accepts employment with an employer who is  
2 not a public employer under this system, the employee is entitled to the  
3 same allowances as a retired employee who has no employment.  
4 2. The retired employee and the public employer shall notify the  
5 system:  
6 (a) Within 10 days after the first day of an employment or contract  
7 governed by paragraph (a) ~~of subsection 1;~~ *of subsection 1;*  
8 (b) Within 30 days after the first day of an employment or contract  
9 governed by paragraph (b) ~~of subsection 1;~~ *of subsection 1;* and  
10 (c) Within 10 days after a retired employee earns more than one-half of  
11 the average salary for participating public employees who are not police  
12 officers or firemen in any fiscal year from an employment or contract  
13 governed by paragraph (b) ~~of subsection 1.~~  
14 3. For the purposes of this section, the average salary for participating  
15 public employees who are not police officers or firemen must be computed  
16 on the basis of the most recent actuarial valuation of the system.  
17 4. If a retired employee is chosen by election or appointment to fill an  
18 elective public office, he is entitled to the same allowances as a retired  
19 employee who has no employment, unless he is serving in the same office  
20 in which he served and for which he received service credit as a member.  
21 A public employer may pay contributions on behalf of such a retired  
22 employee to a retirement fund which is not a part of the system in an  
23 amount not to exceed the amount of the contributions that the public  
24 employer would pay to the system on behalf of a participating public  
25 employee who serves in the same office.  
26 5. The system may waive for one period of 30 days or less a retired  
27 employee's disqualification under this section if the public employer  
28 certifies in writing, in advance, that the retired employee is recalled to meet  
29 an emergency and that no other qualified person is immediately available.  
30 6. A person who accepts employment or an independent contract with  
31 either house of the legislature or by the legislative counsel bureau is  
32 exempt from the provisions of subsections 1 and 2 for the duration of that  
33 employment or contract.  
34 7. *A retired employee who accepts employment with a school district*  
35 *as a teacher is exempt from the provisions of subsections 1 and 2 for the*  
36 *duration of that employment if the majority of his years of service credit*  
37 *were earned from employment as a teacher.*  
38 **Sec. 2.** This act becomes effective on July 1, 2001.

