ASSEMBLY BILL NO. 12–COMMITTEE
ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE NEVADA COMMISSION
ON MINORITY AFFAIRS)

PREFILED OCTOBER 28, 2026

Referred to Committee on Government Affairs

SUMMARY—Authorizes certain retirees from the Public Employees' Retirement System to return to work without a loss of benefits in certain circumstances. (BDR 23-117)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: May have Fiscal Impact.
Effect on the State Highway Fund: 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; exempting certain retirees who accept employment or an independent contract in certain positions in primary, secondary or postsecondary public education from certain provisions governing the employment of such retirees; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides that a retiree from the Public Employees' Retirement System who accepts employment or an independent contract with certain public employers is disqualified from receiving any retirement benefits from the System for the duration of that employment or independent contract. Certain exceptions exist under existing law to allow retirees to accept public employment or an independent contract with a public employer without a loss of retirement benefits, including election or appointment to certain public offices, election to either house of the Legislature, employment or an independent contract with certain public employers or employment as a volunteer firefighter. (NRS 286.520) **Section 1** of this bill also exempts retired public employees who accept employment or an independent contract with the Nevada System of Higher Education, a school district or charter school in certain positions in primary, secondary and postsecondary public education for the duration of the employment or contract.

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

Section 1. NRS 286.520 is hereby amended to read as follows:

286.520 1. Except as otherwise provided in this section and NRS 286.525, the consequences of the employment of a retired employee are:

(a) A retired employee who accepts employment or an independent contract with a public employer under this System is disqualified from receiving any allowances under this System for the duration of that employment or contract if:

(1) The retired employee accepted the employment or contract within 90 calendar days after the effective date of the employee's retirement; or

(2) The retired employee is employed in a position which is eligible to participate in this System.

(b) If a retired employee accepts employment or an independent contract with a public employer under this System more than 90 calendar days after the effective date of the employee's retirement in a position which is not eligible to participate in this System, the employee's allowance under this System terminates upon the employee's earning an amount equal to one-half of the average salary for participating public employees who are not police officers or firefighters in any fiscal year, for the duration of that employment or contract.

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

2. The retired employee and the public employer shall notify the System:

(a) Within 10 days after the first day of an employment or contract governed by paragraph (a) of subsection 1.

(b) Within 30 days after the first day of an employment or contract governed by paragraph (b) of subsection 1.

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

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

4. If a retired employee who accepts employment or an independent contract with a public employer under this System

pursuant to this section elects not to reenroll in the System pursuant to subsection 1 of NRS 286.525, the public employer with which the retired employee accepted employment or an independent contract may pay contributions on behalf of the retired employee to a retirement fund which is not a part of the System in an amount not to exceed the amount of the contributions that the public employer would pay to the System on behalf of a participating public employee who is employed in a similar position.

5. If a retired employee is chosen by election or appointment to fill an elective public office, the retired employee is entitled to the same allowances as a retired employee who has no employment, unless the retired employee is serving in the same office in which the retired employee served and for which the retired employee received service credit as a member. A public employer may pay contributions on behalf of such a retired employee to a retirement fund which is not a part of the System in an amount not to exceed the amount of the contributions that the public employer would pay to the System on behalf of a participating public employee who serves in the same office.

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

7. A person who accepts employment or an independent contract with:

(a) Either house of the Legislature or the Legislative Counsel Bureau;

(b) The Nevada Gaming Commission as a Commissioner appointed by the Governor; ~~[or]~~

(c) The Nevada Court System as a senior justice, senior judge, senior justice of the peace or senior municipal judge ~~[.]~~ ***; or***

(d) The Nevada System of Higher Education, a school district or charter school in the following positions:

(1) Instructional positions, including, without limitation, a teacher, substitute teacher, lecturer, career and technical education instructor and adjunct faculty;

(2) Athletic and extracurricular coaching positions, including, without limitation, an athletic coach and advisor for a student organization, athletic association or athletic team;

(3) Student support services positions, including, without limitation, a school counselor, school psychologist, school social worker and academic advisor; and

(4) Clinical and professional education positions, including, without limitation, a clinical instructor, practicum

supervisor, internship coordinator and field supervisor for professional training programs,

➥ is exempt from the provisions of subsections 1 and 2 for the duration of that employment or contract.

8. A person who accepts employment with a volunteer fire department of which all the volunteers have become members of the System pursuant to NRS 286.367 is exempt from the provisions of subsections 1 and 2 for the duration of that employment.

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