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H.311

Introduced by Representatives Boutin of Barre City, Carris-Duncan of  
Whitingham, Dodge of Essex, Galfetti of Barre Town, Greer of  
Bennington, Harrison of Chittenden, Howard of Rutland City,  
Kleppner of Burlington, Logan of Burlington, Luneau of St.  
Albans City, McFaun of Barre Town, Morgan, L. of Milton,  
Morgan, M. of Milton, Morris of Springfield, Nelson of Derby,  
Nielsen of Brandon, Page of Newport City, Pritchard of Pawlet,  
Taylor of Milton, and Waszazak of Barre City

Referred to Committee on

Date:

Subject: Education; retirement; Vermont State Teachers' Retirement System

Statement of purpose of bill as introduced: This bill proposes to extend the  
provision authorizing a beneficiary of the Vermont State Teachers' Retirement  
System to resume service as an interim educator and continue to receive a  
retirement allowance for that period.

An act relating to the retirement allowance for interim educators

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 2022 Acts and Resolves No. 173, Sec. 1 is amended to read:

1           Sec. 1. FY 2023; RESTORATION OF SERVICE; VERMONT STATE  
2                           TEACHERS' RETIREMENT SYSTEM

3           (a) Authority. Notwithstanding 16 V.S.A. § 1939 or any other provision of  
4 law, in fiscal year 2023, a beneficiary who retired from the System as a  
5 Group A or a Group C member may resume service, as that term is defined in  
6 16 V.S.A. § 1931, to serve as an interim school educator for a period not to  
7 exceed one school year and receive the beneficiary's retirement allowance for  
8 the entire period that service is resumed, provided that:

9                   (1) the beneficiary has received a retirement allowance for six months or  
10 more immediately preceding the resumption of service;

11                   (2) the employer of the beneficiary is subject to the assessment set forth  
12 in 16 V.S.A. § 1944d on behalf of the beneficiary and remits payment to the  
13 Benefits Fund; and

14                   (3) the employer of the beneficiary remits payment to the Vermont  
15 Teachers' Retirement Fund, established in 16 V.S.A. § 1944, in an amount  
16 equal to the contribution rate established for members of the beneficiary's  
17 group for any period that service is resumed.

18           (b) Period of service. A person who resumes service under subsection (a)  
19 of this section shall not make any contributions to the System during the  
20 person's period of service and shall not be entitled to a retirement allowance  
21 separately computed for the period that service was resumed.

1 (c) Employment certification. Each superintendent who hires an interim  
2 school educator pursuant to subsection (a) of this section shall certify to the  
3 Board that the district exhausted all reasonable options to employ a qualified  
4 active educator prior to employing a beneficiary as an interim school educator.

5 (d) Renewal.

6 (1) In fiscal years 2024 ~~and 2025~~ through 2030, the State Treasurer is  
7 authorized to grant not more than ~~two~~ seven renewals for a one-fiscal-year  
8 period to the authority described in subsection (a) of this section. The State  
9 Treasurer shall make the determination to renew the authority not earlier than  
10 ~~June~~ May 1 but not later than ~~June 30~~ May 31 in each fiscal year and shall  
11 notify the House Committee on Government Operations and Military Affairs  
12 and Senate ~~Committees~~ Committee on Government Operations of the  
13 determination.

14 (2) ~~In the event the State Treasurer makes a determination to renew the~~  
15 ~~authority pursuant to subdivision (1) of this subsection, a beneficiary may only~~  
16 ~~resume service during each one-year renewal period if service is performed in~~  
17 ~~a different interim school educator position. [Repealed.]~~

18 (e) Repeal. This section shall be repealed on June 30, ~~2026~~ 2031.

19 Sec. 2. EFFECTIVE DATE

20 This act shall take effect on passage.