

1                                   A bill to be entitled  
 2           An act relating to employment after retirement of  
 3           school district personnel; amending s. 121.021, F.S.;  
 4           revising a definition; providing that retired  
 5           instructional personnel may immediately after  
 6           termination become employed by a school district as a  
 7           substitute teacher; amending s. 1012.33, F.S.;  
 8           authorizing retired instructional personnel to be  
 9           reemployed under certain circumstances and continue  
 10          receiving retirement benefits; prohibiting such  
 11          retired members from receiving additional retirement  
 12          service credit for such employment; providing an  
 13          effective date.

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 15   Be It Enacted by the Legislature of the State of Florida:

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 17           Section 1. Paragraph (a) of subsection (39) of section  
 18           121.021, Florida Statutes, is amended to read:

19           121.021 Definitions.—The following words and phrases as  
 20           used in this chapter have the respective meanings set forth  
 21           unless a different meaning is plainly required by the context:

22           (39) (a) "Termination" occurs, except as provided in  
 23           paragraph (b), when a member ceases all employment relationships  
 24           with participating employers, however:

25           1. For retirements effective before July 1, 2010, if a

26 | member is employed by any such employer within the next calendar  
27 | month, termination shall be deemed not to have occurred. A leave  
28 | of absence constitutes a continuation of the employment  
29 | relationship, except that a leave of absence without pay due to  
30 | disability may constitute termination if such member makes  
31 | application for and is approved for disability retirement in  
32 | accordance with s. 121.091(4). The department or state board may  
33 | require other evidence of termination as it deems necessary.

34 |       2. For retirements effective on or after July 1, 2010, if  
35 | a member is employed by any such employer within the next 6  
36 | calendar months, termination shall be deemed not to have  
37 | occurred. However, a retired member of the instructional  
38 | personnel, as defined in s. 1012.01(2)(a), of a school district  
39 | may immediately after termination become employed by a school  
40 | district as a substitute teacher as provided in s. 1012.33(8). A  
41 | leave of absence constitutes a continuation of the employment  
42 | relationship, except that a leave of absence without pay due to  
43 | disability may constitute termination if such member makes  
44 | application for and is approved for disability retirement in  
45 | accordance with s. 121.091(4). The department or state board may  
46 | require other evidence of termination as it deems necessary.

47 |       Section 2. Subsection (8) of section 1012.33, Florida  
48 | Statutes, is amended to read:

49 |       1012.33 Contracts with instructional staff, supervisors,  
50 | and school principals.-

51           (8) (a) Notwithstanding any other provision of law, a  
52 retired member may interrupt retirement and be reemployed in any  
53 public school as instructional personnel under a 1-year  
54 probationary contract as defined in s. 1012.335(1). If the  
55 retiree successfully completes the probationary contract, the  
56 district school board may reemploy the retiree under an annual  
57 contract as defined in s. 1012.335(1). The retiree is not  
58 eligible for a professional service contract.

59           (b) A retired member who was employed as instructional  
60 personnel may be reemployed in any public school as a substitute  
61 teacher and continue to receive retirement benefits. However,  
62 such retired member may not receive additional retirement  
63 service credit for such employment.

64           Section 3. This act shall take effect July 1, 2019.