

JAN 16 2002  
STATE GOVERNMENT

HOUSE FILE 2044  
BY O'BRIEN

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act concerning the reemployment of Iowa public employees'  
2 retirement system retirees by eliminating certain earnings  
3 restrictions and modifying the requirements for a bona fide  
4 retirement.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2044

1 Section 1. Section 97B.48A, subsection 1, Code 2001, is  
2 amended by striking the subsection and inserting in lieu  
3 thereof the following:

4 1. A member who has a bona fide retirement under this  
5 chapter may return to regular full-time covered employment  
6 during a calendar year and shall continue to receive a  
7 retirement allowance without a reduction after return to  
8 covered employment regardless of the amount of remuneration  
9 received.

10 Sec. 2. Section 97B.52A, subsection 1, paragraph c, Code  
11 2001, is amended to read as follows:

12 c. For a member whose first month of entitlement is July  
13 2000 or later, but before July 2002, the member does not  
14 return to any employment with a covered employer until the  
15 member has qualified for at least one calendar month of  
16 retirement benefits, and the member does not return to covered  
17 employment until the member has qualified for no fewer than  
18 four calendar months of retirement benefits. ~~For purposes of~~  
19 ~~this paragraph, effective July 1, 2000, any employment with a~~  
20 ~~covered employer does not include employment as an elective~~  
21 ~~official or member of the general assembly if the member is~~  
22 ~~not covered under this chapter for that employment.~~

23 Sec. 3. Section 97B.52A, subsection 1, Code 2001, is  
24 amended by adding the following new paragraphs:

25 NEW PARAGRAPH. d. For a member whose first month of  
26 entitlement is July 2002, or later, the member does not return  
27 to covered employment until the member has qualified for at  
28 least one calendar month of retirement benefits.

29 NEW PARAGRAPH. e. For purposes of paragraphs "c" and "d",  
30 effective July 1, 2000, any employment with a covered employer  
31 does not include employment as an elective official or member  
32 of the general assembly if the member is not covered under  
33 this chapter for that employment.

34 EXPLANATION

35 This bill concerns the reemployment rights of retirees

1 under the Iowa public employees' retirement system (IPERS).

2 The bill provides that an IPERS member who has a bona fide  
3 retirement can return to public employment covered by IPERS  
4 and continue to receive the member's retirement allowance  
5 without a reduction. Under current law, an IPERS member  
6 receiving a retirement allowance who is under age 65 will have  
7 the member's IPERS retirement allowance reduced by \$.50 for  
8 each dollar the member earns over \$14,000 in a calendar year  
9 in employment covered by IPERS.

10 The bill also changes the determination of what constitutes  
11 a bona fide retirement for purposes of receiving an IPERS  
12 retirement benefit. The bill provides that a person can  
13 receive benefits if the person does not return to covered  
14 employment with an employer covered by IPERS for one month  
15 following termination of employment. Currently, a person  
16 cannot return to covered employment for four months following  
17 termination from employment and can only return to employment  
18 with an IPERS employer that is not considered IPERS covered  
19 employment after receiving benefits for one month. This  
20 portion of the bill applies to persons whose first month of  
21 entitlement to IPERS benefits is July 2002, or later.

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