

IN THE SENATE

SENATE BILL NO. 1089

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO EDUCATION; REPEALING SECTION 33-1004G, IDAHO CODE, RELATING TO
2 EARLY RETIREMENT INCENTIVE EXCLUDING ADMINISTRATIVE STAFF; AMENDING
3 SECTION 33-1004H, IDAHO CODE, TO REVISE PROVISIONS RELATING TO SCHOOL
4 DISTRICTS EMPLOYING RETIRED TEACHERS AND ADMINISTRATORS AND TO MAKE A
5 CODIFIER'S CORRECTION; AND DECLARING AN EMERGENCY.
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7 Be It Enacted by the Legislature of the State of Idaho:

8 SECTION 1. That Section [33-1004G](#), Idaho Code, be, and the same is hereby
9 repealed.

10 SECTION 2. That Section 33-1004H, Idaho Code, be, and the same is hereby
11 amended to read as follows:

12 33-1004H. EMPLOYING RETIRED TEACHERS AND ADMINISTRATORS. (1)
13 Notwithstanding the provisions of section 33-514, 33-1271 or 33-1273, Idaho
14 Code, school districts may employ certificated school teachers and admin-
15 istrators who are receiving retirement benefits from the public employee
16 retirement system of Idaho, except those who received benefits under the
17 early retirement program previously provided ~~in section 33-1004G, Idaho~~
18 ~~Code, by the state~~ in positions requiring such certification, as at-will
19 employees. Any employment contract between the retiree and the school dis-
20 trict shall be separate and apart from the collective bargaining agreement
21 of the school district.

22 (2) Retirees employed under this section shall accrue one (1) day
23 per month of sick leave, with no annual sick leave accumulation unless
24 additional sick leave is negotiated between the candidate and the school
25 district at the time of employment. No sick leave accrued under this section
26 qualifies for unused sick leave benefits under section 33-1228, Idaho Code.

27 (3) School districts are not required to provide health insurance or
28 life insurance benefits to persons employed under this section. Post-ter-
29 mination benefits may be negotiated between the school district and the cer-
30 tificated employee at the time of rehiring but in no event can the parties
31 affect or attempt to affect the provisions governing the public employee re-
32 tirement system.

33 SECTION 3. An emergency existing therefor, which emergency is hereby
34 declared to exist, this act shall be in full force and effect on and after its
35 passage and approval.