

STATE OF OKLAHOMA

1st Session of the 58th Legislature (2021)

SENATE BILL 973

By: Garvin

AS INTRODUCED

An Act relating to the Teachers' Retirement System of Oklahoma; amending 62 O.S. 2011, Section 3103, as last amended by Section 2, Chapter 120, O.S.L. 2018 (62 O.S. Supp. 2020, Section 3103), which relates to the Oklahoma Pension Legislation Actuarial Analysis Act; modifying definitions; amending 70 O.S. 2011, Section 17-116.10, as last amended by Section 2, Chapter 270, O.S.L. 2017 (70 O.S. Supp. 2020, Section 17-116.10), which relates to postretirement earnings limitations; modifying restrictions with respect to postretirement employment; prescribing maximum amount of postretirement earnings; prescribing requirements related to postretirement earnings; modifying provision related to employee contributions; prohibiting accrual of postretirement service credit; providing for applicability of certain provisions regardless of certain election; amending Section 3, Chapter 394, O.S.L. 2013, as last amended by Section 1, Chapter 10, 2nd Extraordinary Session, O.S.L. 2018 (70 O.S. Supp. 2020, Section 18-114.14), which relates to the minimum salary schedule; modifying provisions related to employment of retired teachers; providing school districts not subject to certain pre-termination procedural requirements; prescribing maximum duration of postretirement contacts; providing school districts not required to rehire certain persons based upon previous contract; providing for codification; and providing effective dates.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

1 SECTION 1. AMENDATORY 62 O.S. 2011, Section 3103, as
2 last amended by Section 2, Chapter 120, O.S.L. 2020 (62 O.S. Supp.
3 2020, Section 3103), is amended to read as follows:

4 Section 3103. As used in the Oklahoma Pension Legislation
5 Actuarial Analysis Act:

6 1. "Amendment" means any amendment, including a substitute
7 bill, made to a retirement bill by any committee of the House or
8 Senate, any conference committee of the House or Senate or by the
9 House or Senate;

10 2. "RB number" means that number preceded by the letters "RB"
11 assigned to a retirement bill by the respective staffs of the
12 Oklahoma State Senate and the Oklahoma House of Representatives when
13 the respective staff office prepares a retirement bill for a member
14 of the Legislature;

15 3. "Legislative Actuary" means the firm or entity that enters
16 into a contract with the Legislative Service Bureau pursuant to
17 Section 452.15 of Title 74 of the Oklahoma Statutes to provide the
18 actuarial services and other duties provided for in the Oklahoma
19 Pension Legislation Actuarial Analysis Act;

20 4. "Nonfiscal amendment" means an amendment to a retirement
21 bill having a fiscal impact, which amendment does not change any
22 factor of an actuarial investigation specified in subsection A of
23 Section 3109 of this title;

24 5. "Nonfiscal retirement bill" means a retirement bill:

- 1 a. which does not affect the cost or funding factors of a
- 2 retirement system, or
- 3 b. which affects such factors only in a manner which does
- 4 not:
- 5 (1) grant a benefit increase under the retirement
- 6 system affected by the bill,
- 7 (2) create an actuarial accrued liability for or
- 8 increase the actuarial accrued liability of the
- 9 retirement system affected by the bill, or
- 10 (3) increase the normal cost of the retirement system
- 11 affected by the bill,
- 12 c. which authorizes the purchase by an active member of
- 13 the retirement system, at the actuarial cost for the
- 14 purchase as computed pursuant to the statute in effect
- 15 on the effective date of the measure allowing such
- 16 purchase, of years of service for purposes of reaching
- 17 a normal retirement date in the applicable retirement
- 18 system, but which cannot be used in order to compute
- 19 the number of years of service for purposes of
- 20 computing the retirement benefit for the member,
- 21 d. which provides for the computation of a service-
- 22 connected disability retirement benefit for members of
- 23 the Oklahoma Law Enforcement Retirement System
- 24 pursuant to Section 2-305 of Title 47 of the Oklahoma

1 Statutes if the members were unable to complete twenty
2 (20) years of service as a result of the disability,
3 e. which requires membership in the defined benefit plan
4 authorized by Section 901 et seq. of Title 74 of the
5 Oklahoma Statutes for persons whose first elected or
6 appointed service occurs on or after November 1, 2018,
7 if such persons had any prior service in the Oklahoma
8 Public Employees Retirement System prior to November
9 1, 2015,

10 f. which provides for a one-time increase in retirement
11 benefits if the increase in retirement benefits is not
12 a permanent increase in the gross annual retirement
13 benefit payable to a member or beneficiary, occurs
14 only once pursuant to a single statutory authorization
15 and does not exceed:

16 (1) the lesser of two percent (2%) of the gross
17 annual retirement benefit of the member or One
18 Thousand Dollars (\$1,000.00) and requires that
19 the benefit may only be provided if the funded
20 ratio of the affected retirement system would not
21 be less than sixty percent (60%) but not greater
22 than eighty percent (80%) after the benefit
23 increase is paid,

- 1 (2) the lesser of two percent (2%) of the gross
2 annual retirement benefit of the member or One
3 Thousand Two Hundred Dollars (\$1,200.00) and
4 requires that the benefit may only be provided if
5 the funded ratio of the affected retirement
6 system would be greater than eighty percent (80%)
7 but not greater than one hundred percent (100%)
8 after the benefit increase is paid,
- 9 (3) the lesser of two percent (2%) of the gross
10 annual retirement benefit of the member or One
11 Thousand Four Hundred Dollars (\$1,400.00) and
12 requires that the benefit may only be provided if
13 the funded ratio of the affected retirement
14 system would be greater than one hundred percent
15 (100%) after the benefit increase is paid, or
- 16 (4) the greater of two percent (2%) of the gross
17 annual retirement benefit of the volunteer
18 firefighter or One Hundred Dollars (\$100.00) for
19 persons who retired from the Oklahoma
20 Firefighters Pension and Retirement System as
21 volunteer firefighters and who did not retire
22 from the Oklahoma Firefighters Pension and
23 Retirement System as a paid firefighter.
- 24
25

1 As used in this subparagraph, "funded ratio" means the
2 figure derived by dividing the actuarial value of
3 assets of the applicable retirement system by the
4 actuarial accrued liability of the applicable
5 retirement system, ~~or~~

6 g. which modifies the disability pension standard for
7 police officers who are members of the Oklahoma Police
8 Pension and Retirement System as provided by Section 3
9 of this act,

10 h. which modifies the postretirement earnings limit
11 pursuant to Section 17-116.10 of Title 70 of the
12 Oklahoma Statutes, or

13 i. which modifies the postretirement provisions of the
14 minimum salary schedule, pursuant to subsection F of
15 Section 18-114.14 of Title 70 of the Oklahoma
16 Statutes.

17 A nonfiscal retirement bill shall include any retirement bill that
18 has as its sole purpose the appropriation or distribution or
19 redistribution of monies in some manner to a retirement system for
20 purposes of reducing the unfunded liability of such system or the
21 earmarking of a portion of the revenue from a tax to a retirement
22 system or increasing the percentage of the revenue earmarked from a
23 tax to a retirement system;

1 6. "Reduction-in-cost amendment" means an amendment to a
2 retirement bill having a fiscal impact which reduces the cost of the
3 bill as such cost is determined by the actuarial investigation for
4 the bill prepared pursuant to Section 3109 of this title;

5 7. "Retirement bill" means any bill or joint resolution
6 introduced or any bill or joint resolution amended by a member of
7 the Oklahoma Legislature which creates or amends any law directly
8 affecting a retirement system. A retirement bill shall not mean a
9 bill or resolution that impacts the revenue of any state tax in
10 which a portion of the revenue generated from such tax is earmarked
11 for the benefit of a retirement system;

12 8. "Retirement bill having a fiscal impact" means any
13 retirement bill creating or establishing a retirement system and any
14 other retirement bill other than a nonfiscal retirement bill; and

15 9. "Retirement system" means the Teachers' Retirement System of
16 Oklahoma, the Oklahoma Public Employees Retirement System, the
17 Uniform Retirement System for Justices and Judges, the Oklahoma
18 Firefighters Pension and Retirement System, the Oklahoma Police
19 Pension and Retirement System, the Oklahoma Law Enforcement
20 Retirement System, or a retirement system established after January
21 1, 2006.

22 SECTION 2. AMENDATORY 70 O.S. 2011, Section 17-116.10,
23 as last amended by Section 2, Chapter 270, O.S.L. 2017 (70 O.S.
24 Supp. 2020, Section 17-116.10), is amended to read as follows:

1 Section 17-116.10. A. Subject to the requirements of Section
2 6-101.2 of this title and any other applicable requirements of law,
3 a member with twenty-five (25) or more years of service may enter
4 into postretirement employment with a public school of Oklahoma and
5 still receive monthly retirement benefits subject to the following
6 limitations:

7 1. A retired member is not eligible to be employed by the
8 public schools of Oklahoma, in any capacity, for sixty (60) calendar
9 days between the retiree's last day of preretirement public
10 education employment and any postretirement public education
11 employment. For purposes of this section, the term "last day of
12 preretirement employment" shall mean the last day the employee is
13 required to be physically present on the job to complete the terms
14 of the employment contract or agreement. An employee on paid leave
15 is still considered to be employed for purposes of this section.
16 Employment under any conditions during this time, volunteer services
17 for the purpose of obtaining a paid position at a later date, or
18 payment at a later time for services performed during this time
19 period shall cause the forfeiture of all retirement benefits
20 received during the period;

21 ~~2. Unless otherwise provided in paragraph 3 of this subsection,~~
22 ~~earnings from the public schools may not exceed one-half (1/2) of~~
23 ~~the member's final average salary used in computing retirement~~
24 ~~benefits, or the Earnings Limitation for employees allowed by the~~

1 ~~Social Security Administration, whichever is less. For retired~~
2 ~~members under the age of sixty two (62) years, the limit on allowed~~
3 ~~earnings from the public schools of Oklahoma for employment for the~~
4 ~~performance of duties ordinarily performed by classified or~~
5 ~~nonclassified personnel shall be the lesser of Fifteen Thousand~~
6 ~~Dollars (\$15,000.00) or one half (1/2) of the member's final average~~
7 ~~salary used in computing retirement benefits unless the earnings~~
8 ~~limitation allowed by the Social Security Administration would be~~
9 ~~greater than Fifteen Thousand Dollars (\$15,000.00). For retired~~
10 ~~members sixty two (62) years of age or older the limit on allowed~~
11 ~~earnings from the public schools of Oklahoma for the performance of~~
12 ~~duties ordinarily performed by classified or nonclassified personnel~~
13 ~~shall be the lesser of Thirty Thousand Dollars (\$30,000.00) or one~~
14 ~~half (1/2) of the member's final average salary used in computing~~
15 ~~retirement benefits. For purposes of this paragraph, the following~~
16 ~~shall apply:~~

- 17 a. ~~earnings shall mean "regular annual compensation" as~~
18 ~~defined in paragraph (25) of Section 17-101 of this~~
19 ~~title, and shall include any payment by a public~~
20 ~~school for services rendered by a retired member who~~
21 ~~is employed for any purpose whatsoever. Supplemental~~
22 ~~retirement payments paid by a former public school~~
23 ~~employer pursuant to subsection 9 of Section 17-105 of~~

1 ~~this title or other state law shall not be considered~~
2 ~~as earnings,~~

3 ~~b. the Earnings Limitation for employees allowed by the~~
4 ~~Social Security Administration to workers between the~~
5 ~~age of sixty-two (62) years and sixty-five (65) years~~
6 ~~shall apply to retired members below the age of sixty-~~
7 ~~two (62) years,~~

8 ~~e. the limit on allowed earnings from the public schools~~
9 ~~shall be automatically adjusted effective the first~~
10 ~~day of January of each year to reflect the current~~
11 ~~Earnings Limitation for employees as determined from~~
12 ~~time to time by the Social Security Administration,~~

13 ~~d. the earnings limit for the calendar year in which a~~
14 ~~member retires shall be one-twelfth (1/12) of the~~
15 ~~annual limit multiplied by the number of months the~~
16 ~~member is eligible to work and receive payments from~~
17 ~~the public schools of Oklahoma,~~

18 ~~e. earnings in excess of the maximum limit on allowed~~
19 ~~earnings from public schools of Oklahoma shall result~~
20 ~~in a loss of future retirement benefits for the year~~
21 ~~the postretirement employment was performed of One~~
22 ~~Dollar (\$1.00) for each One Dollar (\$1.00) earned over~~
23 ~~the maximum allowed earnings amount,~~

1 ~~f. for those members age seventy (70) years and over, the~~
2 ~~earnings in excess of the maximum limit allowed~~
3 ~~earnings from public schools of Oklahoma shall be one-~~
4 ~~half (1/2) the member's final average salary used in~~
5 ~~computing retirement benefits. However, any retired~~
6 ~~member receiving benefits from the Retirement System~~
7 ~~who reached age seventy (70) years prior to July 1,~~
8 ~~1991, shall not be restricted by the earnings limits~~
9 ~~pursuant to this subparagraph until January 1, 1994.~~
10 ~~To qualify for the provisions of this subparagraph,~~
11 ~~the member must be employed less than one-half (1/2)~~
12 ~~time compared to other full-time employees in similar~~
13 ~~positions;~~

14 ~~3. Notwithstanding paragraph 2 of this subsection, a retired~~
15 ~~classified or nonclassified member who has been retired for thirty-~~
16 ~~six (36) or more months and who is employed by a public school to~~
17 ~~perform duties ordinarily performed by classified or nonclassified~~
18 ~~personnel shall be able to receive annualized earnings from the~~
19 ~~public school with no reduction in retirement benefits regardless of~~
20 ~~the amount of annualized earnings. For a period of three (3) years~~
21 ~~beginning July 1, 2017, members who have retired as of July 1, 2017,~~
22 ~~as active classroom teachers, who have been retired and receiving a~~
23 ~~benefit for at least one (1) year, and who have not been employed by~~
24 ~~any public school during that one-year period, shall be eligible to~~

1 ~~be reemployed as an active classroom teacher in common or career~~
2 ~~tech school districts, with no limitations on earnings. The one-~~
3 ~~year period starts with the retiree's last day of preretirement~~
4 ~~public education employment. Members returning under this section~~
5 ~~shall not be subject to any earning limitations following the end of~~
6 ~~the three-year period described in this paragraph. Members~~
7 ~~returning under this section shall only be employed pursuant to a~~
8 ~~temporary contract; and~~

9 4. A member shall be considered to be employed by a school
10 district to perform the duties ordinarily performed by classified or
11 nonclassified personnel if the member is hired by the school
12 district in the member's individual capacity to perform the duties
13 or if the member performs the duties through employment with a
14 proprietorship, partnership, corporation, limited liability company
15 or partnership, or any other business structure that has agreed or
16 contracted to provide the services to the school district;

17 3. For the first year a retired member is employed full-time by
18 a public school district, the maximum compensation amount shall be
19 Thirty-six Thousand Six Hundred One Dollars (\$36,601.00). For all
20 years of service after the first twelve (12) months after a member
21 retires from the System, there shall be no minimum salary
22 requirement and the provisions of Section 18-114.14 of this title
23 shall not be applicable to compensation paid by a public school
24

1 district to a retired member of the System for full-time employment;
2 and

3 4. For the second and subsequent years that a retired member is
4 employed full-time by a public school district, the maximum
5 compensation amount shall be Fifty Thousand Dollars (\$50,000.00) and
6 the provisions of Section 18-114.14 of this title shall not be
7 applicable to compensation paid by a public school district for
8 full-time employment to a retired member of the System.

9 B. A public school district that employs a retired member shall
10 be required to make contributions to the System for the retired
11 member in an amount as required in Section 17-108.1 ~~and in paragraph~~
12 ~~3 of subsection B of Section 17-116.2~~ of this title. A retired
13 member employed pursuant to the provisions of this section shall not
14 accrue any additional service credit in the Teachers' Retirement
15 System of Oklahoma resulting from performance of postretirement
16 employment with a school district. The provisions of this section
17 for payment of employer contribution amounts and the provisions
18 prohibiting accrual of additional service credit shall be applicable
19 regardless of whether the member is receiving his or her retirement
20 benefit or not and shall not depend upon any election the member
21 might exercise to suspend or delay receipt of the retirement benefit
22 amount.

23 C. For purposes of this section, postretirement employment of
24 less than one thousand (1,000) hours per year with the Governor, the

1 State Senate, the House of Representatives or the Legislative
2 Service Bureau shall not be considered as postretirement employment
3 with a public school of Oklahoma.

4 D. The Board of Trustees of the Teachers' Retirement System of
5 Oklahoma shall promulgate such rules as are necessary to implement
6 the provisions of this section.

7 E. A member who has entered into postretirement employment with
8 a participating employer of the Teachers' Retirement System of
9 Oklahoma must fully comply with all the provisions of the rules
10 promulgated by the Board of Trustees pursuant to this section in
11 order to continue receiving his or her monthly retirement benefit.

12 SECTION 3. AMENDATORY Section 3, Chapter 394, O.S.L.
13 2013, as last amended by Section 1, Chapter 10, 2nd Extraordinary
14 Session, O.S.L. 2018 (70 O.S. Supp. 2020, Section 18-114.14), is
15 amended to read as follows:

16 Section 18-114.14 A. Beginning with the 2018-2019 school year,
17 certified personnel, as defined in Section 26-103 of this title, in
18 the public schools of Oklahoma shall receive in salary and/or fringe
19 benefits not less than the amounts specified in the following
20 schedule:

21 MINIMUM SALARY SCHEDULE

22 National

23	Years of	Bachelor's	Board	Master's	Doctor's
24	Experience	Degree	Certification	Degree	Degree

1	0	\$36,601	\$37,759	\$37,991	\$39,381
2	1	\$37,035	\$38,193	\$38,425	\$39,815
3	2	\$37,469	\$38,628	\$38,859	\$40,249
4	3	\$37,904	\$39,062	\$39,294	\$40,684
5	4	\$38,338	\$39,496	\$39,728	\$41,118
6	5	\$38,810	\$39,968	\$40,200	\$41,590
7	6	\$39,273	\$40,432	\$40,663	\$42,054
8	7	\$39,737	\$40,895	\$41,127	\$42,517
9	8	\$40,200	\$41,358	\$41,590	\$42,980
10	9	\$40,663	\$41,822	\$42,054	\$43,444
11	10	\$41,684	\$42,844	\$43,568	\$45,945
12	11	\$42,177	\$43,336	\$44,061	\$46,438
13	12	\$42,670	\$43,829	\$44,554	\$46,931
14	13	\$43,162	\$44,322	\$45,047	\$47,424
15	14	\$43,655	\$44,815	\$45,539	\$47,916
16	15	\$44,167	\$45,327	\$46,052	\$48,430
17	16	\$44,660	\$45,820	\$46,545	\$48,923
18	17	\$45,153	\$46,313	\$47,038	\$49,416
19	18	\$45,646	\$46,806	\$47,531	\$49,909
20	19	\$46,139	\$47,299	\$48,024	\$50,402
21	20	\$46,652	\$47,813	\$48,538	\$50,917
22	21	\$47,145	\$48,306	\$49,031	\$51,410
23	22	\$47,639	\$48,799	\$49,524	\$51,903
24	23	\$48,132	\$49,292	\$50,018	\$52,397

1	24	\$48,625	\$49,785	\$50,511	\$52,890
2	25	\$50,049	\$51,232	\$51,971	\$54,395
3		Master's Degree +			
4	Years of	National Board			
5	Experience	Certification			
6	0	\$39,149			
7	1	\$39,583			
8	2	\$40,018			
9	3	\$40,452			
10	4	\$40,886			
11	5	\$41,358			
12	6	\$41,822			
13	7	\$42,285			
14	8	\$42,749			
15	9	\$43,212			
16	10	\$44,728			
17	11	\$45,221			
18	12	\$45,713			
19	13	\$46,206			
20	14	\$46,699			
21	15	\$47,212			
22	16	\$47,705			
23	17	\$48,198			
24	18	\$48,691			

1	19	\$49,184
2	20	\$49,698
3	21	\$50,192
4	22	\$50,685
5	23	\$51,178
6	24	\$51,671
7	25	\$53,153

8 B. 1. When determining the Minimum Salary Schedule, "fringe
9 benefits" shall mean all or part of retirement benefits, excluding
10 the contributions made pursuant to subsection A of Section 17-108.1
11 of this title and the flexible benefit allowance pursuant to Section
12 26-105 of this title from the flexible benefit allowance funds
13 disbursed by the State Board of Education and the State Board of
14 Career and Technology Education pursuant to Section 26-104 of this
15 title.

16 2. If a school district intends to provide retirement benefits
17 to a teacher such that the teacher's salary would be less than the
18 amounts set forth in the minimum salary schedule specified in
19 subsection A of this section, the district shall be required to
20 provide written notification to the teacher prior to his or her
21 employment or, if already employed by the district, no later than
22 thirty (30) days prior to the date the district elects to provide
23 retirement benefits such that the teacher's salary would be less
24 than the minimum salary schedule.

1 C. Any of the degrees referred to in this section shall be from
2 a college recognized by the State Board of Education. The Board
3 shall accept teaching experience from out-of-state school districts
4 that are accredited by the state board of education or appropriate
5 state accrediting agency for the districts. The Board shall accept
6 teaching experience from out-of-country schools that are accredited
7 or otherwise endorsed by the appropriate national or regional
8 accrediting or endorsement authority. Out-of-country certification
9 documentation in a language other than English shall be analyzed by
10 an educational credential evaluation service in accordance with
11 industry standards and guidelines and approved by the State
12 Department of Education. The person seeking to have credit granted
13 for out-of-country teaching experience shall be responsible for all
14 costs of the analysis by a credential evaluation service. The Board
15 shall accept teaching experience from primary and secondary schools
16 that are operated by the United States Department of Defense or are
17 affiliated with the United States Department of State.

18 D. For the purpose of state salary increments and retirement,
19 no teacher shall be granted credit for more than five (5) years of
20 active duty in the military service or out-of-state or out-of-
21 country teaching experience as a certified teacher or its
22 equivalent. Nothing in this section shall prohibit boards of
23 education from crediting more years of experience on district salary
24 schedules than those allowed for state purposes.

1 E. The State Board of Education shall recognize, for purposes
2 of certification and salary increments, all the years of experience
3 of a:

4 1. Certified teacher who teaches in the educational program of
5 the Department of Corrections, beginning with fiscal year 1981;

6 2. Vocational rehabilitation counselor under the Department of
7 Human Services if the counselor was employed as a certified teacher
8 by the State Department of Education when the Division of Vocational
9 Rehabilitation was transferred from the State Board of Career and
10 Technology Education or the State Board of Education to the Oklahoma
11 Public Welfare Commission on July 1, 1968;

12 3. Vocational rehabilitation counselor which were completed
13 while employed by the Department of Human Services if such counselor
14 was certified as a teacher or was eligible for certification as a
15 teacher in Oklahoma;

16 4. Certified teacher which were completed while employed by the
17 Department of Human Services Child Study Center at University
18 Hospital, if the teacher was certified as a teacher in Oklahoma; and

19 5. Certified school psychologist or psychometrist which were
20 completed while employed as a doctoral intern, psychological
21 assistant, or psychologist with any agency of the State of Oklahoma
22 if the experience primarily involved work with persons of school- or
23 preschool-age and if the person was, at the time the experience was
24

1 acquired, certified as, or eligible for certification as, a school
2 psychologist or psychometrist.

3 F. The provisions of this section shall not apply to teachers
4 who have retired from the Teachers' Retirement System of Oklahoma
5 and who have entered into postretirement employment with a public
6 school in Oklahoma ~~and are still receiving a monthly retirement~~
7 ~~benefit.~~

8 G. If a person employed as certified personnel, as defined in
9 Section 26-103 of this title, by a school district during the 2017-
10 2018 school year was receiving a salary above the step level
11 indicated by the State Minimum Salary Schedule for the 2017-2018
12 school year, the person shall receive a salary increase amount equal
13 to the amount indicated in subsection A of this section for the step
14 level indicated for the person, provided they remain employed by the
15 same district, unless the hours or the duties of the certified
16 personnel are reduced proportionately.

17 SECTION 4. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 6-101.6c of Title 70, unless
19 there is created a duplication in numbering, reads as follows:

20 A. A school district, as defined in Section 1-108 of Title 70
21 of the Oklahoma Statutes, that employs a retired member of the
22 Teachers' Retirement System of Oklahoma shall not be subject to any
23 provisions of law related to pre-termination procedures.

1 B. 1. All postretirement employment contracts shall be for a
2 period agreed to by the school district and the retired member of
3 the System, not to exceed twelve (12) months. No school district
4 shall be obligated to rehire a retired member with whom the district
5 has previously entered into a postretirement employment contract.

6 2. A school district shall not have any legal obligation to
7 enter into any postretirement employment contract with a retired
8 member of the System.

9 SECTION 5. Section 1 of this act shall become effective October
10 1, 2021.

11 SECTION 6. Sections 2, 3 and 4 of this act shall become
12 effective November 1, 2021.

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