H-3887.1

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**SECOND SUBSTITUTE HOUSE BILL 1737**

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**State of Washington 64th Legislature 2016 Regular Session**

**By** House Appropriations (originally sponsored by Representatives Orcutt, Santos, Magendanz, Bergquist, Ortiz-Self, Kilduff, Kagi, Zeiger, Tarleton, Muri, Condotta, and Pollet)

AN ACT Relating to the availability of retired teachers as substitutes; adding a new section to chapter 41.32 RCW; creating a new section; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  The legislature recognizes that there is a temporary shortage of substitute teachers available to some school districts, in part because of the change in early retirement provisions that restricted the ability of some retired teachers choosing the alternate early retirement provisions that first became available to members during 2008. For a limited period during which school districts will have the opportunity to adjust to the more limited availability of retired teachers as substitutes, the legislature shall provide a temporary increase in postretirement employment opportunities while also receiving pension benefits for retired teachers who choose to serve in an instructional capacity for approximately the number of hours that would permit a substitute teacher to work full-time for ninety days.

NEW SECTION. **Sec.**  A new section is added to chapter 41.32 RCW under the subchapter heading "provisions applicable to plan 2 and plan 3" to be codified between RCW 41.32.141 and 41.32.215 to read as follows:

In addition to the postretirement employment options available in RCW 41.32.802 or 41.32.862, and only until August 1, 2020, a teacher in plan 2 or plan 3 that has retired under the alternate early retirement provisions of RCW 41.32.765(3)(b) or 41.32.875(3)(b) may be employed with an employer that has documented a shortage of certified substitute teachers for up to six hundred thirty hours per school year without suspension of his or her benefit, provided that: (1) The retired teacher reenters employment more than one calendar month after his or her accrual date and after the effective date of this section, and (2) the retired teacher is employed exclusively as a substitute teacher as defined in RCW 41.32.010(48)(a) in an instructional capacity, as opposed to other capacities identified in RCW 41.32.010(49).

NEW SECTION. **Sec.**  This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

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