

LEGISLATIVE BILL 449

Approved by the Governor April 22, 2009

Introduced by Campbell, 25; Loudon, 49; Stuthman, 22; Howard, 9; Giese, 17.

FOR AN ACT relating to the School Employees Retirement Act; to amend section 79-954, Reissue Revised Statutes of Nebraska; to change provisions relating to the cessation of disability retirement allowance as prescribed; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 79-954, Reissue Revised Statutes of Nebraska, is amended to read:

79-954 (1) Except as provided in subsection (2) of this section, if ~~If~~ a disability beneficiary under the age of sixty-five years is restored to active service as a school employee or if the examining physician certifies that the person is no longer disabled for service as a school employee, the school or disability retirement allowance shall cease. If the beneficiary again becomes a school employee, he or she shall become a member of the retirement system. Any prior service certificate, on the basis of which his or her creditable service was computed at the time of his or her retirement for disability, shall be restored to full force and effect upon his or her again becoming a member of such retirement system.

(2) If a disability beneficiary under the age of sixty-five years obtains employment as a school employee and the examining physician certifies that the beneficiary has a permanent disability, the beneficiary shall retain his or her disability retirement allowance if the beneficiary works fewer than fifteen hours per week.

Sec. 2. Original section 79-954, Reissue Revised Statutes of Nebraska, is repealed.