

**SENATE
STATE OF MINNESOTA
NINETY-FOURTH SESSION**

S.F. No. 4410

(SENATE AUTHORS: PAPPAS)

DATE
03/12/2026

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Introduction and first reading
Referred to State and Local Government

OFFICIAL STATUS

1.1 A bill for an act

1.2 relating to retirement; Teachers Retirement Association; St. Paul Teachers

1.3 Retirement Fund Association; modifying definition of teacher; requiring refunds

1.4 of employee contributions; amending Minnesota Statutes 2024, sections 354.05,

1.5 subdivision 2; 354A.011, subdivision 27.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2024, section 354.05, subdivision 2, is amended to read:

1.8 Subd. 2. **Teacher.** (a) "Teacher" means:

1.9 (1) a person who renders service as a teacher, supervisor, principal, superintendent,

1.10 librarian, nurse, counselor, social worker, therapist, or psychologist in:

1.11 (i) a public school of the state other than in Independent School District No. 625;

1.12 (ii) a charter school; or

1.13 (iii) the Perpich Center for Arts Education, except that any employee of the Perpich

1.14 Center for Arts Education who was covered by the Minnesota State Retirement System

1.15 general state employees retirement plan as of July 1, 2018, shall continue to be covered by

1.16 that plan and not by the Teachers Retirement Association;

1.17 (2) a person who is engaged in educational administration in connection with the state

1.18 public school system, whether the position be a public office or as employment;

1.19 (3) a person who renders service as a charter school director or chief administrative

1.20 officer; provided, however, that if the charter school director or chief administrative officer

1.21 is covered by the Public Employees Retirement Association general employees retirement

2.1 plan on July 1, 2018, the charter school director or chief administrative officer shall continue
2.2 to be covered by that plan and not by the Teachers Retirement Association;

2.3 (4) an employee of the Teachers Retirement Association;

2.4 (5) a person who renders teaching service on a part-time basis and who also renders
2.5 other services for a single employing unit where the teaching service comprises at least 50
2.6 percent of the combined employment salary is a member of the association for all services
2.7 with the single employing unit or, if less than 50 percent of the combined employment
2.8 salary, the executive director determines all of the combined service is covered by the
2.9 association; or

2.10 (6) a person who is not covered by the plans established under chapter 352D, 354A, or
2.11 354B and who is employed by the Board of Trustees of the Minnesota State Colleges and
2.12 Universities system in an unclassified position as:

2.13 (i) a president, vice-president, or dean;

2.14 (ii) a manager or a professional in an academic or an academic support program other
2.15 than specified in item (i);

2.16 (iii) an administrative or a service support faculty position; or

2.17 (iv) a teacher or a research assistant.

2.18 (b) "Teacher" does not mean:

2.19 (1) a person who works for a school or institution as an independent contractor as defined
2.20 by the Internal Revenue Service;

2.21 (2) annuitants of the teachers retirement plan who are employed after retirement by an
2.22 employing unit that participates in the teachers retirement plan during the course of that
2.23 reemployment;

2.24 (3) a person who is employed by the University of Minnesota;

2.25 (4) a member or an officer of any general governing or managing board or body of an
2.26 employing unit that participates in the teachers retirement plan; ~~or~~

2.27 (5) a person employed by Independent School District No. 625 as a teacher as defined
2.28 in section 354A.011, subdivision 27; or

2.29 (6) a person who is a citizen of a country other than the United States and employed on
2.30 a J-1 visa.

3.1 Sec. 2. Minnesota Statutes 2024, section 354A.011, subdivision 27, is amended to read:

3.2 Subd. 27. **Teacher.** (a) "Teacher" means any person who renders service for:

3.3 (1) Independent School District No. 625, St. Paul, as any of the following:

3.4 (i) a full-time employee in a position for which a valid license from the Professional
3.5 Educator Licensing and Standards Board is required;

3.6 (ii) a part-time employee in a position for which a valid license from the Professional
3.7 Educator Licensing and Standards Board is required; or

3.8 (iii) a part-time employee in a position for which a valid license from the Professional
3.9 Educator Licensing and Standards Board is required who also renders other nonteaching
3.10 services for the school district, unless the board of trustees of the teachers retirement fund
3.11 association determines that the combined employment is on the whole so substantially
3.12 dissimilar to teaching service that the service may not be covered by the association;

3.13 (2) the teachers retirement fund association located in the city of St. Paul as an employee;
3.14 or

3.15 (3) the Minnesota State Colleges and Universities as an employee who has continuing
3.16 coverage under this chapter through section 354B.211, subdivision 3, paragraph (c).

3.17 (b) The term does not mean any person who renders service in the school district as any
3.18 of the following:

3.19 (1) an independent contractor or the employee of an independent contractor;

3.20 (2) an employee who is a full-time teacher covered by the Teachers Retirement
3.21 Association under chapter 354;

3.22 (3) an employee who is exempt from licensure pursuant to section 122A.30; ~~or~~

3.23 (4) a person who is receiving a retirement annuity from the teachers retirement fund
3.24 association and is employed after retirement by the school district associated with the
3.25 retirement fund association; or

3.26 (5) a person who is a citizen of a country other than the United States and employed on
3.27 a J-1 visa.

3.28 Sec. 3. **REFUNDS TO TEACHERS EMPLOYED ON A J-1 VISA.**

3.29 Subdivision 1. Refunds from Teachers Retirement Association. The executive director
3.30 of the Teachers Retirement Association must refund employee contributions made by any
3.31 teacher employed on May 31, 2026, who would have been excluded from eligibility for the

4.1 Teachers Retirement Association under Minnesota Statutes, section 354.05, subdivision 2,
4.2 paragraph (b), clause (6), had clause (6) been in effect at the time the teacher was employed
4.3 in covered employment. The refund must be paid (1) with interest compounded annually
4.4 at three percent from the date each contribution was made to the association to the last day
4.5 of the month prior to the month in which the refund is issued, and (2) no later than July 31,
4.6 2026.

4.7 Subd. 2. Refunds from St. Paul Teachers Retirement Fund Association. The executive
4.8 director of the St. Paul Teachers Retirement Fund Association must refund employee
4.9 contributions made by any teacher employed on May 31, 2026, who would have been
4.10 excluded from eligibility for the St. Paul Teachers Retirement Fund Association under
4.11 Minnesota Statutes, section 354A.011, subdivision 27, paragraph (b), clause (5), had clause
4.12 (5) been in effect at the time the teacher was employed in covered employment. The refund
4.13 must be paid (1) with interest compounded annually at three percent from the date each
4.14 contribution was made to the association to the last day of the month prior to the month in
4.15 which the refund is issued, and (2) no later than July 31, 2026.

4.16 Sec. 4. EFFECTIVE DATE.

4.17 Sections 1 to 3 are effective July 1, 2026.