

## HB 1821 -- RETIREMENT BENEFITS FOR PROSECUTORS

SPONSOR: Diehl

COMMITTEE ACTION: Voted "Do Pass" by the Committee on Retirement by a vote of 11 to 0.

Currently, each county treasurer must transfer a specified sum of money each month to the Prosecuting Attorneys and Circuit Attorneys' Retirement System Fund for use by the fund. Beginning August 28, 2015, the bill requires that the county contribution be adjusted in accordance with the following schedule based on the retirement system's annual actuarial valuation report:

- (1) If the system's funding ratio is 120% or more, no monthly sum must be transmitted;
- (2) If the system's funding ratio is more than 110% but less than 120%, the monthly sum transmitted must be reduced 50%;
- (3) If the system's funding ratio is at least 90% and up to 110%, the monthly sum transmitted must remain the same;
- (4) If the system's funding ratio is at least 80% and less than 90%, the monthly sum transmitted must be increased 50%; and
- (5) If the system's funding ratio is less than 80%, the monthly sum transmitted must be increased 100%.

Currently, a surcharge of \$4 is assessed and collected in all criminal cases filed in court, including any violation of a county ordinance or any violation of the state's criminal or traffic laws, including infractions. The bill adds any person who pleads guilty and pays a fine through a fine collection center to the list of those who are to be assessed the surcharge.

In addition, the bill allows prosecuting attorneys, in all counties that elect to make the position of prosecuting attorney a full-time position, to participate in the retirement system for prosecuting and circuit attorneys. The prosecutor is eligible for the same benefits as a full-time prosecutor in a county of the first classification.

PROPONENTS: Supporters say that the bill will help keep the retirement system adequately funded. When the legislation was originally enacted, the \$4 surcharge was excluded at fine collection centers because only a couple counties used them but now almost every county has fine collection centers. This surcharge was always intended to go toward the retirement system to keep it

funded, and the exclusion needs to be removed.

Testifying for the bill were Representative Leara and Robert McCulloch, Prosecuting Attorneys and Circuit Attorneys' Retirement System Fund.

OPPONENTS: There was no opposition voiced to the committee.