

House _____ Amendment NO. _____

Offered By

1 AMEND House Bill No. 2322, Page 8, Section 56.840, Line 30, by inserting after all of said line
2 the following:

3
4 "86.200. The following words and phrases as used in sections 86.200 to 86.366, unless a
5 different meaning is plainly required by the context, shall have the following meanings:

6 (1) "Accumulated contributions", the sum of all mandatory contributions deducted from the
7 compensation of a member and credited to the member's individual account, together with members'
8 interest thereon;

9 (2) "Actuarial equivalent", a benefit of equal value when computed upon the basis of
10 mortality tables and interest assumptions adopted by the board of trustees;

11 (3) "Average final compensation":

12 (a) ~~[With respect to a member who earns no creditable service on or after October 1, 2001,~~
13 ~~the average earnable compensation of the member during the member's last three years of creditable~~
14 ~~service as a police officer, or if the member has had less than three years of creditable service, the~~
15 ~~average earnable compensation of the member's entire period of creditable service;~~

16 ~~——(b)] With respect to a member who commenced employment before October 1, 2018, who~~
17 ~~is not participating in the DROP pursuant to section 86.251 on October 1, 2001, who did not~~
18 ~~participate in the DROP at any time before such date, and who earns any creditable service on or~~
19 ~~after October 1, 2001, the average earnable compensation of the member during the member's last~~
20 ~~two years of creditable service as a policeman, or if the member has had less than two years of~~
21 ~~creditable service, then the average earnable compensation of the member's entire period of~~
22 ~~creditable service; provided, however, that with respect to a member who commenced employment~~
23 ~~on or after October 1, 2018, who is not participating in the DROP under section 86.251, who did not~~
24 ~~participate in the DROP at any time before such date, and who earns any creditable service on or~~
25 ~~after October 1, 2018, the "average final compensation" means the average earnable compensation~~
26 ~~of the member during the member's last three years of creditable service as a police officer or, if the~~
27 ~~member has had less than three years of creditable service, the average earnable compensation of~~
28 ~~the member's entire period of creditable service;~~

29 ~~[(c) With respect to a member who is participating in the DROP pursuant to section 86.251~~
30 ~~on October 1, 2001, or whose participation in DROP ended before such date, who returns to active~~
31 ~~participation in the system pursuant to section 86.251, and who terminates employment as a police~~
32 ~~officer for reasons other than death or disability before earning at least two years of creditable~~
33 ~~service after such return, the portion of the member's benefit attributable to creditable service earned~~
34 ~~before DROP entry shall be determined using average final compensation as defined in paragraph~~
35 ~~(a) of this subdivision; and the portion of the member's benefit attributable to creditable service~~
36 ~~earned after return to active participation in the system shall be determined using average final~~

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1 compensation as defined in paragraph (b) of this subdivision;

2 ~~——(d)]~~ (b) With respect to a member who commenced employment before October 1, 2018,
 3 who is participating in the DROP pursuant to section 86.251 [øñ] before October 1, [2001] 2018, or
 4 whose participation in the DROP ended before such date, who returns to active participation in the
 5 system pursuant to section 86.251, and who terminates employment as a police officer after earning
 6 at least two years of creditable service after such return, the member's benefit attributable to all of
 7 such member's creditable service shall be determined using the member's average final
 8 compensation as defined in paragraph [(b)] (a) of this subdivision; provided, however, that with
 9 respect to a member who commenced employment for the first time on or after October 1, 2018,
 10 who is participating in the DROP (regardless of the period of time such member has participated in
 11 DROP) under section 86.251, and who shall terminate employment as a police officer and actually
 12 retire:

13 a. At the end of the five-year DROP period; or

14 b. At the time such member elects to withdraw from participation in DROP (regardless of
 15 the period of time such member participated in DROP),

16
 17 the portion of the member's benefit attributable to creditable service earned before DROP entry
 18 shall be determined using average final compensation as defined in paragraph (a) of this
 19 subdivision;

20 ~~[(e) With respect to a member who is participating in the DROP pursuant to section 86.251~~
 21 ~~on October 1, 2001, or whose participation in DROP ended before such date, who returns to active~~
 22 ~~participation in the system pursuant to section 86.251, and whose employment as a police officer~~
 23 ~~terminates due to death or disability after such return, the member's benefit attributable to all of~~
 24 ~~such member's creditable service shall be determined using the member's average final~~
 25 ~~compensation as defined in paragraph (b) of this subdivision;] and~~

26 ~~[(f)]~~ (c) With respect to the surviving spouse or surviving dependent child of a member
 27 who earns any creditable service on or after October 1, 2001, the average earnable compensation of
 28 the member during the member's last two years of creditable service as a police officer or, if the
 29 member has had less than two years of creditable service, the average earnable compensation of the
 30 member's entire period of creditable service; provided, however, that with respect to a member who
 31 commenced employment for the first time on or after October 1, 2018, the "average final
 32 compensation" for purposes of this paragraph means the average earnable compensation of the
 33 member during the member's last three years of creditable service as a police officer or, if the
 34 member has had less than three years of creditable service, the average earnable compensation of
 35 the member's entire period of creditable service;

36 (4) "Beneficiary", any person in receipt of a retirement allowance or other benefit;

37 (5) "Board of trustees", the board provided in sections 86.200 to 86.366 to administer the
 38 retirement system;

39 (6) "Creditable service", prior service plus membership service as provided in sections
 40 86.200 to 86.366;

41 (7) "DROP", the deferred retirement option plan provided for in section 86.251;

42 (8) "Earnable compensation", the annual salary established under section 84.160 which a
 43 member would earn during one year on the basis of the member's rank or position plus any
 44 additional compensation for academic work and shift differential that may be provided by any
 45 official or board now or hereafter authorized by law to employ and manage a permanent police
 46 force in such cities. Such amount shall include the member's deferrals to a deferred compensation
 47 plan pursuant to Section 457 of the Internal Revenue Code or to a cafeteria plan pursuant to Section
 48 125 of the Internal Revenue Code or, effective October 1, 2001, to a transportation fringe benefit

1 program pursuant to Section 132(f)(4) of the Internal Revenue Code. Earnable compensation shall
2 not include a member's additional compensation for overtime, standby time, court time, nonuniform
3 time or unused vacation time. Notwithstanding the foregoing, the earnable compensation taken into
4 account under the plan established pursuant to sections 86.200 to 86.366 with respect to a member
5 who is a noneligible participant, as defined in this subdivision, for any plan year beginning on or
6 after October 1, 1996, shall not exceed the amount of compensation that may be taken into account
7 under Section 401(a)(17) of the Internal Revenue Code, as adjusted for increases in the cost of
8 living, for such plan year. For purposes of this subdivision, a "noneligible participant" is an
9 individual who first becomes a member on or after the first day of the first plan year beginning after
10 the earlier of:

11 (a) The last day of the plan year that includes August 28, 1995; or

12 (b) December 31, 1995;

13 (9) "Internal Revenue Code", the federal Internal Revenue Code of 1986, as amended;

14 (10) "Mandatory contributions", the contributions required to be deducted from the salary of
15 each member who is not participating in DROP in accordance with section 86.320;

16 (11) "Medical board", the health care organization appointed by the trustees of the police
17 retirement board and responsible for arranging and passing upon all medical examinations required
18 under the provisions of sections 86.200 to 86.366, which shall investigate all essential statements
19 and certificates made by or on behalf of a member in connection with an application for disability
20 retirement and shall report in writing to the board of trustees its conclusions and recommendations;

21 (12) "Member", a member of the retirement system as defined by sections 86.200 to 86.366;

22 (13) "Members' interest", interest on accumulated contributions at such rate as may be set
23 from time to time by the board of trustees;

24 (14) "Membership service", service as a policeman rendered since last becoming a member,
25 except in the case of a member who has served in the Armed Forces of the United States and has
26 subsequently been reinstated as a policeman, in which case "membership service" means service as a
27 policeman rendered since last becoming a member prior to entering such armed service;

28 (15) "Plan year" or "limitation year", the twelve consecutive-month period beginning each
29 October first and ending each September thirtieth;

30 (16) "Policeman" or "police officer", any member of the police force of such cities who
31 holds a rank in such police force;

32 (17) "Prior service", all service as a policeman rendered prior to the date the system
33 becomes operative or prior to membership service which is creditable in accordance with the
34 provisions of sections 86.200 to 86.366;

35 (18) "Reserve officer", any member of the police reserve force of such cities, armed or
36 unarmed, who works less than full time, without compensation, and who, by his or her assigned
37 function or as implied by his or her uniform, performs duties associated with those of a police
38 officer and who currently receives a service retirement as provided by sections 86.200 to 86.366;

39 (19) "Retirement allowance", annual payments for life as provided by sections 86.200 to
40 86.366 which shall be payable in equal monthly installments or any benefits in lieu thereof granted
41 to a member upon termination of employment as a police officer and actual retirement;

42 (20) "Retirement system", the police retirement system of the cities as defined in sections
43 86.200 to 86.366;

44 (21) "Surviving spouse", the surviving spouse of a member who was the member's spouse at
45 the time of the member's death.

46 86.223. ~~[Six]~~ A majority of the appointed and elected trustees shall constitute a quorum for
47 the transaction of business, and any official action of the board shall be based on the majority vote
48 of the trustees present.

1 86.247. On the basis of such tables as the board of trustees shall adopt, the actuary shall
 2 make an annual valuation of the assets and liabilities of the system created by sections 86.200 to
 3 86.366. The actuary may use the entry age normal actuarial cost method subject to subsection 2 of
 4 section 86.344.

5 86.250. Retirement of a member on a service retirement allowance shall be made by the
 6 board of trustees as follows:

7 ~~[(1)]~~ Any member who commenced employment before October 1, 2018, may terminate
 8 employment as a police officer and actually retire after completing twenty or more years of
 9 creditable service or attaining the age of fifty-five upon the member's written application to the
 10 board of trustees setting forth at what time, but not more than ninety days subsequent to the
 11 execution and filing of the application, the member desires to be retired[;]

12 ~~—— (2) Any member in service who has attained the age of sixty-five shall be terminated as a~~
 13 ~~police officer and actually retired forthwith provided that upon request of the chief of police the~~
 14 ~~board of trustees may permit such member to remain in service for periods of not to exceed one year~~
 15 ~~from the date of the last request from the chief of police].~~ Any member who commenced
 16 employment for the first time on or after October 1, 2018, may terminate employment as a police
 17 officer and actually retire after completing ten or more years of creditable service and attaining the
 18 age of fifty-five upon the member's written application to the board of trustees setting forth at what
 19 time, but not more than ninety days subsequent to the execution and filing of the application, the
 20 member desires to be retired; provided, however, that any member who commenced employment
 21 for the first time on or after October 1, 2018, may enter the DROP at any time after completing
 22 twenty years of creditable service.

23 86.251. 1. The board of trustees may develop and establish a deferred retirement option
 24 plan (DROP) in which members who are eligible for retirement but who have not terminated
 25 employment as police officers and who have not actually retired may participate. The DROP shall
 26 be designed to allow members with at least twenty years of creditable service or who have attained
 27 the age of fifty-five who have achieved eligibility for retirement and are entitled to a service
 28 retirement allowance and other benefits to postpone actual retirement, continue active employment
 29 and accumulate a deferred receipt of the service retirement allowance. No one shall participate in
 30 the DROP for a period exceeding five years.

31 2. Any member who has at least twenty years of creditable service or has attained the age of
 32 fifty-five may elect in writing before retirement to participate in the DROP. A member electing to
 33 participate in the DROP shall postpone actual retirement, shall continue in active employment and
 34 shall not receive any direct retirement allowance payments or benefits during the period of
 35 participation. Any member who commenced employment for the first time on or after October 1,
 36 2018, who terminates employment before age fifty-five shall not be eligible to receive a retirement
 37 allowance until he or she reaches age fifty-five.

38 3. Upon the start of the participation in the DROP, the member shall cease to make any
 39 mandatory contributions to the system. No contribution shall be required by the city into the DROP
 40 account. During the period of participation in the DROP, the amount that the member would have
 41 received as a service retirement allowance if the member had actually retired instead of entering
 42 DROP shall be deposited monthly in the member's DROP account which shall be established in the
 43 member's name by the board of trustees. The member's service retirement allowance shall not be
 44 adjusted for any cost-of-living increases for any period prior to the member's termination of
 45 employment as a police officer and actual retirement. Cost-of-living increases, if any, for any
 46 period following the member's termination of employment as a police officer and actual retirement
 47 shall be applied only to monthly service retirement payments made following termination of
 48 employment as a police officer and actual retirement. Service earned during the period of

1 participation in the DROP shall not be creditable service and shall not be counted in determination
2 of any service retirement allowance or surviving spouse's or dependents' benefits. Compensation
3 paid during the period of participation in the DROP shall not be earnable compensation and shall
4 not be counted in the determination of any service retirement allowance or surviving spouse's or
5 dependent's benefits. The member's service retirement allowance shall be frozen as of the date the
6 member enters DROP. Except as specifically provided in sections 86.200 to 86.366, the member's
7 frozen service retirement allowance shall not increase while the member is participating in DROP or
8 after the member's participation in DROP ends, and the member shall not share in any benefit
9 improvement that is enacted or that becomes effective while such member is participating in the
10 DROP.

11 4. A member shall cease participation in the DROP upon the termination of the member's
12 employment as a police officer and actual retirement, or at the end of the five-year period
13 commencing on the first day of the member's participation in the DROP, or as of the effective date
14 of the member's election to return to active participation in the system, whichever occurs first. A
15 member's election to return to active participation in the system before the end of the five-year
16 period commencing on the first day of participation in the DROP shall be made and shall become
17 effective in accordance with procedures established by the board of trustees. Upon the member's
18 termination of employment as a police officer and actual retirement, the member shall elect to
19 receive the value of the member's DROP account, in one of the following forms of payment:

- 20 (1) A lump sum payment; or
21 (2) Equal monthly installments over a ten-year period.
22

23 Either form of payment should begin within thirty days after the member's notice to the board of
24 trustees that the member has selected a particular option.

25 5. If a member who is participating in the DROP elects to return to active participation in
26 the system or if a member who is participating in the DROP does not terminate employment and
27 actually retires as a police officer in the city for which the retirement system was established
28 pursuant to sections 86.200 to 86.366 at the end of the five-year period commencing on the first day
29 of the member's participation in the DROP, the member shall return to active participation in the
30 system and shall resume making mandatory contributions to the system effective as of the day after
31 participation in the DROP ends. The board of trustees shall notify the chief of police to begin
32 deducting mandatory contributions from the member's salary and the member's employment period
33 shall count as creditable service beginning as of the day the member returns to active participation.

34 6. In no event shall a member, including any member who commenced employment for the
35 first time on or after October 1, 2018, whose participation in DROP has ended for any reason be
36 eligible to participate in DROP again.

37 7. Upon the member's termination of employment as a police officer and actual retirement,
38 the member's mandatory contributions to the retirement system shall be paid to the member
39 pursuant to subsection 4 of section 86.253.

40 8. If a member dies prior to termination of employment as a police officer and actual
41 retirement while participating in the DROP or before the member has received full withdrawal of
42 the amount in the member's DROP account under the installment optional payment form, the
43 remaining balance of the member's DROP account shall be payable to the member's surviving
44 spouse; or, if the member is then unmarried, to the member's dependent children in equal shares; or,
45 if none, to the member's dependent mother or father; or, if none, to the member's designated
46 beneficiary or, if no such beneficiary is then living, to the member's estate. Payment shall be made
47 in a lump sum within sixty days after receipt by the board of trustees of evidence and proof of the
48 death of a member. In addition, the member's mandatory contributions, if any, that were not already

1 paid to the member pursuant to subsection 4 of section 86.253 shall be paid to the member's
2 surviving spouse pursuant to section 86.288.

3 9. If a member applies for and receives benefits for an accidental disability retirement
4 allowance pursuant to the provisions of section 86.263, the member shall forfeit all rights, claims or
5 interest in the member's DROP account and the member's benefits shall be calculated as if the
6 member has continued in employment and had not elected to participate in the DROP. Any portion
7 of a DROP account that has been forfeited as provided in this subsection shall be a general asset of
8 the system.

9 10. ~~[A member's]~~ The DROP account of a member who commenced employment before
10 October 1, 2018, shall earn interest equal to the rate of return earned by the system's investment
11 portfolio on a market value basis, including realized and unrealized gains and losses, net of
12 investment expense, as certified by the system's actuary. As of the last day of each plan year
13 beginning after DROP participation begins, the member's DROP account balance, determined as of
14 the last day of the prior plan year, shall be credited with interest at the investment rate earned by the
15 assets of the retirement system for such prior plan year. If distribution of the member's DROP
16 account balance is made in a lump sum under subsection 4 or 8 of this section, interest for the plan
17 year of distribution shall be credited on the ending balance for the prior plan year at the investment
18 rate earned on the assets of the retirement system for the prior plan year, in proportion to the part of
19 the plan year preceding the date of the member's termination of employment or death, whichever is
20 earlier. If the member's DROP account is paid in equal monthly installments pursuant to subsection
21 4 of this section, interest during the installment period shall be credited as of the last day of each
22 plan year ending after installment payment begins on the account balance as of the first or last day
23 of the plan year, whichever is lower, at the investment rate earned by the assets of the system for the
24 prior plan year. Interest for the year in which the final installment is paid shall be credited on the
25 balance remaining after the final installment is paid, at the investment rate earned on the assets of
26 the system for the prior plan year, in proportion to the part of the plan year preceding payment of
27 the final installment. Any interest credited to the DROP account during the installment period shall
28 be paid as soon as reasonably possible after the final monthly installment. No interest shall be
29 credited on amounts, if any, added to the member's DROP account during the year in which the
30 distribution of the account is completed. Any member who commenced employment for the first
31 time on or after October 1, 2018, shall earn interest for all purposes for which interest is allowed at
32 the rate of return earned by the ten-year United States Treasury note as of September thirtieth each
33 year plus one percent, not to exceed a rate of six percent per annum.

34 11. The board of trustees shall not incur any liability individually or on behalf of other
35 individuals for any act or omission made in good faith in relation to the DROP or assets credited to
36 DROP accounts established by this section. The provisions of the Internal Revenue Code and
37 regulations promulgated thereunder shall supersede any provision of this section if there is any
38 inconsistency with the Internal Revenue Code or regulation.

39 12. Upon the receipt by the board of trustees of evidence and proof that the death of a
40 member resulted from an event occurring while the member was in the actual performance of duty,
41 and if the member is participating in the DROP, the member's surviving spouse or, if the member is
42 then unmarried, the member's unmarried dependent children, may elect within thirty days after the
43 member's death to have the amount in the member's DROP account paid in the form of a monthly
44 survivor annuity. Payment of the survivor annuity shall begin within sixty days after the election is
45 received. Payment to the member's surviving spouse shall continue until the surviving spouse's
46 death; payment to the member's unmarried dependent children shall be made while any child
47 qualifies as an unmarried dependent child pursuant to section 86.280. The survivor annuity shall be
48 the actuarial equivalent of the member's DROP account as of the date of the member's death. In no

1 event shall the total amount paid pursuant to this subsection be less than the member's DROP
2 account balance as of the date of the member's death.

3 86.253. 1. Upon termination of employment as a police officer and actual retirement for
4 service, a member who commenced employment before October 1, 2018, shall receive a service
5 retirement allowance which shall be an amount equal to two percent of the member's average final
6 compensation multiplied by the number of years of the member's creditable service, up to twenty-
7 five years, plus an amount equal to four percent of the member's average final compensation for
8 each year of creditable service in excess of twenty-five years but not in excess of thirty years; plus
9 an additional five percent of the member's average final compensation for any creditable service in
10 excess of thirty years. Notwithstanding the foregoing, the service retirement allowance of a
11 member who ~~[does not earn any creditable service after August 11, 1999]~~ commenced employment
12 before October 1, 2018, shall not exceed an amount equal to ~~[seventy]~~ seventy-five percent of the
13 member's average final compensation~~], and the service retirement allowance of a member who earns~~
14 ~~creditable service on or after August 12, 1999, shall not exceed an amount equal to seventy-five~~
15 ~~percent of the member's average final compensation; provided, however, that the service retirement~~
16 ~~allowance of a member who is participating in the DROP pursuant to section 86.251 on August 12,~~
17 ~~1999, who returns to active participation in the system pursuant to section 86.251, and who~~
18 ~~terminates employment as a police officer and actually retires for reasons other than death or~~
19 ~~disability before earning at least two years of creditable service after such return shall be the sum of~~
20 ~~(1) the member's service retirement allowance as of the date the member entered DROP and (2) an~~
21 ~~additional service retirement allowance based solely on the creditable service earned by the member~~
22 ~~following the member's return to active participation]. However, if a member commenced~~
23 employment for the first time on or after October 1, 2018, the service retirement allowance of the
24 member shall not exceed an amount equal to seventy percent of the member's average final
25 compensation. The member's total years of creditable service shall be taken into account for the
26 purpose of determining whether the additional allowance attributable to such additional creditable
27 service is two percent, four percent or five percent of the member's average final compensation.

28 2. If, at any time since first becoming a member of the retirement system, the member has
29 served in the Armed Forces of the United States, and has subsequently been reinstated as a
30 policeman within ninety days after the member's discharge, the member shall be granted credit for
31 such service as if the member's service in the police department of such city had not been
32 interrupted by the member's induction into the Armed Forces of the United States. If earnable
33 compensation is needed for such period in computation of benefits it shall be calculated on the basis
34 of the compensation payable to the officers of the member's rank during the period of the member's
35 absence. Notwithstanding any provision of sections 86.200 to 86.366 to the contrary, the retirement
36 system governed by sections 86.200 to 86.366 shall be operated and administered in accordance
37 with the applicable provisions of the Uniformed Services Employment and Reemployment Rights
38 Act of 1994, as amended.

39 3. The service retirement allowance of each present and future retired member who earned
40 creditable service before October 1, 2018, and who terminated employment as a police officer and
41 actually retired from service after attaining age fifty-five or after completing twenty years of
42 creditable service shall be increased annually at a rate not to exceed three percent as approved by the
43 board of trustees beginning with the first increase in the second October following the member's
44 retirement and subsequent increases in each October thereafter, provided that each increase is
45 subject to a determination by the board of trustees that the consumer price index (United States City
46 Average Index) as published by the United States Department of Labor shows an increase of not less
47 than the approved rate during the latest twelve-month period for which the index is available at the
48 date of determination; and provided further, that if the increase is in excess of the approved rate for

1 any year, such excess shall be accumulated as to any retired member and increases may be granted
2 in subsequent years subject to a maximum of three percent for each full year from October
3 following the member's retirement but not to exceed a total percentage increase of thirty percent.
4 The service retirement allowance of a member who commenced employment for the first time on or
5 after October 1, 2018, shall be increased in the same manner; except that, the increases shall not
6 exceed a total percentage increase of twenty-five percent. In no event shall the increase described
7 under this subsection be applied to the amount, if any, paid to a member or surviving spouse of a
8 deceased member for services as a special consultant under subsection 5 of this section [~~or, if~~
9 ~~applicable, subsection 6 of this section~~]. If the board of trustees determines that the index has
10 decreased for any year, the benefits of any retired member that have been increased shall be
11 decreased but not below the member's initial benefit. No annual increase shall be made of less than
12 one percent and no decrease of less than three percent except that any decrease may be limited in
13 amount by the initial benefit.

14 4. In addition to any other retirement allowance payable under this section and section
15 86.250, a member, upon termination of employment as police officer and actual service retirement,
16 may request payment of the total amount of the member's mandatory contributions to the retirement
17 system without interest. Upon receipt of such request, the board shall pay the retired member such
18 total amount of the member's mandatory contributions to the retirement system to be paid pursuant
19 to this subsection within sixty days after such retired member's date of termination of employment
20 as a police officer and actual retirement. Notwithstanding the foregoing, a member who
21 commenced employment for the first time on or after October 1, 2018, shall not be eligible for the
22 return of his or her mandatory contributions to the retirement system upon termination of
23 employment as a police officer and actual service retirement; except that, a member who
24 commenced employment for the first time on or after October 1, 2018, shall receive his or her
25 mandatory contributions to the retirement system without interest if not vested at the time of
26 termination of employment as a police officer or actual service retirement.

27 5. Any person who is receiving retirement benefits from the retirement system, upon
28 application to the board of trustees, shall be made, constituted, appointed and employed by the
29 board of trustees as a special consultant on the problems of retirement, aging and other matters, for
30 the remainder of the person's life or, in the case of a deceased member's surviving spouse, until the
31 earlier of the person's death or remarriage, and upon request of the board of trustees shall give
32 opinions and be available to give opinions in writing or orally, in response to such requests, as may
33 be required. For such services the special consultant shall be compensated monthly, in an amount
34 which, when added to any monthly retirement benefits being received from the retirement system,
35 including any cost-of-living increases under subsection 3 of this section, shall total six hundred fifty
36 dollars a month. This employment shall in no way affect any person's eligibility for retirement
37 benefits under this chapter, or in any way have the effect of reducing retirement benefits,
38 notwithstanding any provisions of law to the contrary.

39 86.254. 1. Beginning July 1, 1994, in addition to any other annuity, benefits, or retirement
40 allowance provided pursuant to sections 86.200 to 86.366, each present and future retired member
41 who commenced employment before October 1, 2018, after attaining the age of sixty years shall,
42 upon application to the board of trustees, be made, constituted, appointed and employed by the
43 board of trustees as an advisor on the problems of retirement, aging and other matters, for the
44 remainder of the retired member's life, and upon request of the board of trustees shall give opinions
45 in writing or orally in response to such requests as may be required.

46 2. For the performance of duties required in subsection 1 of this section, each retired
47 member employed as an advisor by the board of trustees shall be compensated monthly in an
48 amount of ten dollars per month multiplied by the number of years the retired member is past the

1 age of sixty years. The compensation provided by this subsection shall be adjusted annually. No
2 funding shall be required prior to the effective date of this benefit.

3 3. Beginning October 1, 1999, in addition to any other benefit provided to any surviving
4 spouse pursuant to sections 86.200 to 86.366, each present and future surviving spouse of a member
5 who commenced employment before October 1, 2018, after attaining the age of sixty years shall
6 upon application to the board of trustees, be made, constituted, appointed and employed by the
7 board of trustees as an advisor on the problems of retirement, aging and other matters for the
8 remainder of the surviving spouse's life or until the surviving spouse remarries, whichever is earlier,
9 and upon request of the board of trustees shall give opinions in writing or orally in response to such
10 requests as may be required.

11 4. For the performance of duties required in subsection 3 of this section, each surviving
12 spouse of a member employed as an advisor by the board of trustees shall be compensated monthly
13 in an amount of ten dollars per month multiplied by the number of years the surviving spouse is past
14 the age of sixty years. The compensation provided by this subsection shall be adjusted annually.

15 86.257. 1. Upon the application of the chief of police or a member, any member who has
16 completed ten or more years of creditable service or upon the police retirement system created by
17 sections 86.200 to 86.366 first attaining, after August 28, 2013, a funded ratio, as defined in section
18 105.660 and as determined by the system's annual actuarial valuation, of at least eighty percent, a
19 member who has completed five or more years of creditable service and who has become
20 permanently unable to perform the duties of a police officer as the result of an injury or illness not
21 exclusively caused or induced by the actual performance of his or her official duties or by his or her
22 own negligence shall be retired by the board of trustees of the police retirement system upon
23 certification by the medical board of the police retirement system and approval by the board of
24 trustees of the police retirement system that the member is mentally or physically unable to perform
25 the duties of a police officer, that the inability is permanent or likely to become permanent, and that
26 the member should be retired.

27 2. Once each year during the first five years following such member's retirement, and at
28 least once in every three-year period thereafter, the board of trustees may, and upon the member's
29 application shall, require any nonduty disability beneficiary who has not yet attained sixty years of
30 age to undergo a medical examination at a place designated by the medical board or such physicians
31 as the medical board appoints. If any nonduty disability beneficiary who has not attained sixty
32 years of age refuses to submit to a medical examination, his or her nonduty disability ~~[pension]~~
33 retirement allowance may be discontinued until his or her withdrawal of such refusal, and if his or
34 her refusal continues for one year, all rights in and to such ~~[pension]~~ disability retirement allowance
35 may be revoked by the board of trustees.

36 3. If the medical board certifies to the board of trustees that a nonduty disability beneficiary
37 is able to perform the duties of a police officer, and if the board of trustees concurs on the report,
38 then such beneficiary's nonduty disability ~~[pension]~~ retirement allowance shall cease.

39 4. If upon cessation of a disability ~~[pension]~~ retirement allowance under subsection 3 of this
40 section, the former disability beneficiary is restored to active service, he or she shall again become a
41 member, and he or she shall contribute thereafter at the same rate as other members. Upon his or
42 her subsequent retirement, he or she shall be credited with all of his or her active retirement, but not
43 including any time during which the former disability beneficiary received a disability ~~[pension]~~
44 retirement allowance under this section.

45 86.260. 1. Upon termination of employment as a police officer and actual retirement for
46 nonduty disability a member shall receive a service retirement allowance as calculated under
47 subsection 1 of section 86.253 if the member has attained the age of fifty-five or completed twenty
48 years of creditable service; otherwise the member shall receive a nonduty disability retirement

1 allowance which shall be equal to ninety percent of the member's accrued service retirement in
2 section 86.253, but not less than one-fourth of the member's average final compensation; provided,
3 however, that no such allowance shall exceed ninety percent of the member's accrued service
4 retirement benefit based on continuation of the member's creditable service to the age set out in
5 section 86.250. To the extent a member receiving a nonduty disability retirement allowance is
6 gainfully employed, a proportionate offset shall apply against any disability retirement allowance
7 received if the sum of the member's current salary plus disability retirement allowance equals an
8 amount in excess of one hundred twenty-five percent of the member's current salary.

9 2. Effective October 1, 1999, the nonduty disability retirement allowance will be increased
10 by fifteen percent of the member's average final compensation for each unmarried dependent child
11 of the disabled member who is under the age of eighteen, or who, regardless of age, is totally and
12 permanently mentally or physically disabled and incapacitated from engaging in gainful occupation
13 sufficient to support himself or herself.

14 3. Any member receiving benefits pursuant to the provisions of this section immediately
15 prior to October 1, 1999, shall upon application to the board of trustees be made, constituted,
16 appointed and employed by the board of trustees as a special consultant on the problems of
17 retirement, aging and other matters while the member is receiving such benefits, and upon request
18 of the board of trustees shall give opinions in writing or orally in response to such requests as may
19 be required. Beginning October 1, 1999, for such services as may be required, there shall be
20 payable an additional monthly compensation of one hundred dollars or five percent of the member's
21 average final compensation, whichever is greater, for each unmarried dependent child of the
22 member.

23 4. Any benefit payable to or for the benefit of a child or children under the age of eighteen
24 years pursuant to the provisions of subsections 2 and 3 of this section shall continue to be paid
25 beyond the age of eighteen years through the age of twenty-two years in those cases where the child
26 is a full-time student at a regularly accredited college, business school, nursing school, school for
27 technical or vocational training, or university, but such extended benefit shall cease whenever the
28 child ceases to be a student. A college or university shall be deemed to be regularly accredited
29 which maintains membership in good standing in a national or regional accrediting agency
30 recognized by any state college or university.

31 5. No benefits pursuant to this section shall be paid to a child over eighteen years of age
32 who is totally and permanently disabled if such child is a patient or resident of a public-supported
33 institution, nor shall such benefits be paid unless such disability occurred prior to such child
34 reaching the age of eighteen.

35 86.263. 1. Any member in active service who is permanently unable to perform the full and
36 unrestricted duties of a police officer as the natural, proximate, and exclusive result of an accident
37 occurring within the actual performance of duty at some definite time and place, through no
38 negligence on the member's part, shall be retired by the board of trustees of the police retirement
39 system upon certification by the medical board that the member is mentally or physically unable to
40 perform the full and unrestricted duties of a police officer, that the inability is permanent or likely to
41 become permanent, and that the member should be retired. The inability to perform the "full and
42 unrestricted duties of a police officer" means the member is unable to perform all the essential job
43 functions for the position of police officer as established by the chief of police.

44 2. No member shall be approved for retirement under the provisions of subsection 1 of this
45 section unless the application was made and submitted by the chief of police or a member no later
46 than five years following the date of accident, provided, that if the accident was reported within five
47 years of the date of the accident and an examination made of the member within thirty days of the
48 date of accident by a health care provider whose services were provided through the chief of police

1 with subsequent examinations made as requested, then an application made more than five years
2 following the date of the accident shall be considered timely.

3 3. Once each year during the first five years following a member's retirement, and at least
4 once in every three-year period thereafter, the board of trustees may require any disability
5 beneficiary who has not yet attained sixty years of age to undergo a medical examination or medical
6 examinations at a place designated by the medical board or such physicians as the medical board
7 appoints. If any disability beneficiary who has not attained sixty years of age refuses to submit to a
8 medical examination, his or her disability ~~[pension]~~ retirement allowance may be discontinued by
9 the board of trustees of the police retirement system until his or her withdrawal of such refusal, and
10 if his or her refusal continues for one year, all rights in and to such ~~[pension]~~ disability retirement
11 allowance may be revoked by the board of trustees.

12 4. If the medical board certifies to the board of trustees that a disability beneficiary is able
13 to perform the duties of a police officer, then such beneficiary's disability ~~[pension]~~ retirement
14 allowance shall cease.

15 5. If upon cessation of a disability ~~[pension]~~ retirement allowance under subsection 4 of this
16 section, the former disability beneficiary is restored to active service, he or she shall again become a
17 member, and he or she shall contribute thereafter at the same rate as other members. Upon his or
18 her subsequent retirement, he or she shall be credited with all of his or her active service time as a
19 member including the service time prior to receiving disability retirement, but not including any
20 time during which the former disability beneficiary received a disability ~~[pension]~~ retirement
21 allowance under this section.

22 6. If upon cessation of a disability ~~[pension]~~ retirement allowance under subsection 4 of this
23 section, the former disability beneficiary is not restored to active service, such former disability
24 beneficiary shall be entitled to the retirement benefit to which such former disability beneficiary
25 would have been entitled if such former disability beneficiary had terminated service for any reason
26 other than dishonesty or being convicted of a felony at the time of such cessation of such former
27 disability beneficiary's disability ~~[pension]~~ retirement allowance. For purposes of such retirement
28 benefits, such former disability beneficiary shall be credited with all of the former disability
29 beneficiary's active service time as a member, but not including any time during which the former
30 disability beneficiary received a disability ~~[beneficiary pension]~~ retirement allowance under this
31 section.

32 86.267. 1. Upon termination of employment as a police officer and actual retirement for
33 accidental disability, other than permanent total disability as defined in subsection 2 of this section,
34 a member shall receive a disability retirement allowance of seventy-five percent of the member's
35 average final compensation.

36 2. Any member who, as the natural and proximate result of an accident occurring at some
37 definite time and place in the actual performance of the member's duty through no negligence on the
38 member's part, is permanently and totally incapacitated from performing any work, occupation or
39 vocation of any kind whatsoever shall receive a disability retirement allowance as under subsection
40 1 of this section or, in the discretion of the board of trustees, may receive a larger disability
41 retirement allowance in an amount not exceeding the member's rate of compensation as a policeman
42 in effect as of the date the allowance begins.

43 3. The board of trustees, in its discretion, may, in addition to the disability retirement
44 allowance granted in accordance with the provisions of subsections 1 and 2 of this section, grant an
45 allowance in an amount to be determined by the board of trustees, to provide such member with
46 surgical, medical and hospital care reasonably required after retirement, which are the result and in
47 consequence of the accident causing such disability.

48 4. Any person who is receiving benefits pursuant to subsection 2 of this section on or after

1 August 28, 1997, and any person who is receiving benefits pursuant to subsection 1 of this section
2 on or after October 1, 2001, and who made mandatory contributions to the retirement system, upon
3 application to the board of trustees, shall be made, constituted, appointed and employed by the
4 board of trustees as a special consultant on the problems of retirement, aging and other matters, and
5 upon request of the board of trustees shall give opinions and be available to give opinions in writing
6 or orally, in response to such requests, as may be required. For such services the retired member
7 shall be paid a lump sum payment in an amount equal to the total amount of the member's
8 mandatory contributions to the retirement system, without interest, within sixty days after approval
9 of the retired member's application by the board of trustees.

10 86.277. Should a disabled member be restored to active service, such member's disability
11 retirement allowance shall cease. The disabled member shall again become a member and shall
12 contribute thereafter at the same rate in effect prior to disability. Any prior service certificate on the
13 basis of which the member's service was computed at the time of retirement shall be restored to full
14 force and effect and in addition upon the member's subsequent retirement, the member shall be
15 credited with all service as a member, and if the member's then average final compensation is less
16 than the average final compensation used in determining the member's disability retirement
17 allowance, the latter amount shall be used in determining benefits.

18 86.283. Upon receipt of proper proofs of the death of a retired member who retired while in
19 service, including retirement for service, [~~ordinary~~] nonduty disability or accidental disability, and
20 provided no other benefits are payable from the retirement system, there shall be paid the following
21 benefits:

22 (1) Effective October 1, 1999, a pension to the surviving spouse until the surviving spouse
23 dies or remarries, whichever is earlier, of forty percent of the deceased member's average final
24 compensation plus fifteen percent of such compensation to, or for the benefit of, each unmarried
25 dependent child of the deceased member, who is either under the age of eighteen, or who, regardless
26 of age, is totally and permanently mentally or physically disabled and incapacitated from engaging
27 in a gainful occupation sufficient to support himself or herself;

28 (2) Any surviving spouse or unmarried dependent child receiving benefits pursuant to this
29 section immediately prior to October 1, 1999, shall upon application to the board of trustees be
30 made, constituted, appointed and employed by the board of trustees as a special consultant on the
31 problems of retirement, aging and other matters while the surviving spouse or unmarried dependent
32 child is receiving such benefits, and upon request of the board of trustees shall give opinions in
33 writing or orally in response to such requests as may be required. Beginning October 1, 1999, for
34 such services as may be required, a surviving spouse shall receive additional monthly compensation
35 equal to the amount which when added to the benefits the surviving spouse was receiving pursuant
36 to this section prior to October 1, 1999, determined without regard to any increase applied to such
37 benefits prior to October 1, 1999, pursuant to subdivision (8) of this section, will increase the
38 surviving spouse's total monthly payment pursuant to this section to forty percent of the deceased
39 member's average final compensation, and there shall be payable an additional monthly
40 compensation of one hundred dollars or five percent of the member's average final compensation,
41 whichever is greater, for each unmarried dependent child of the member. The additional monthly
42 compensation payable to a surviving spouse pursuant to this subdivision shall be adjusted for any
43 cost-of-living increases that apply to the benefit the surviving spouse was receiving prior to October
44 1, 1999;

45 (3) If no surviving spouse benefits are payable pursuant to subdivisions (1) and (2) of this
46 section, such total pension as would have been paid pursuant to subdivisions (1) and (2) of this
47 section had there been a surviving spouse, determined without regard to any increase which would
48 have applied to the surviving spouse's benefits pursuant to subdivision (8) of this section, shall be

1 divided among the unmarried dependent children under age eighteen and unmarried dependent
2 children, regardless of age, who are totally and permanently mentally or physically disabled and
3 incapacitated from engaging in a gainful occupation sufficient to support themselves. The benefit
4 shall be divided equally among the eligible dependent children, and the share of a child who is no
5 longer eligible shall be divided equally among the remaining eligible dependent children; provided
6 that not more than one-half of the surviving spouse's benefits shall be paid for one child;

7 (4) No benefits pursuant to this section shall be paid to a child over eighteen years of age
8 who is totally and permanently disabled if such child is a patient or resident of a public-supported
9 institution, nor shall such benefits be paid unless such disability occurred prior to such child
10 reaching the age of eighteen;

11 (5) Whenever any dependent child designated by the board of trustees to receive benefits
12 pursuant to this section is in the care of the surviving spouse of the deceased member, such benefits
13 may be paid to such surviving spouse for the child;

14 (6) In the event of the death of a retired member receiving accidental disability benefits
15 before such benefits have been paid for five years, the member's surviving spouse until the
16 surviving spouse dies or remarries, whichever is earlier, shall receive an additional pension of ten
17 percent of the deceased member's final average compensation;

18 (7) Any benefit payable to, or for the benefit of, a child or children under the age of
19 eighteen years pursuant to subdivisions (1) to (3) of this section shall continue to be paid beyond the
20 age of eighteen years through the age of twenty-two years if the child is a full-time student at a
21 regularly accredited college, business school, nursing school, school for technical or vocational
22 training, or university, but such extended benefit shall cease whenever the child ceases to be a
23 student. A college or university shall be deemed to be regularly accredited which maintains
24 membership in good standing in a national or regional accrediting agency recognized by any state
25 college or university;

26 (8) The benefits payable pursuant to this section to the surviving spouse of a retired member
27 who received or was entitled to receive a service retirement allowance shall be increased in the same
28 percentages and pursuant to the same method as is provided in section 86.253 for adjustments in the
29 service retirement allowance of a retired member.

30 86.288. In addition to any other benefits payable, notwithstanding any provisions of
31 sections 86.280 and 86.287 to the contrary, if a member who commenced employment before
32 October 1, 2018, dies while commissioned as a peace officer, or after retiring and before receiving a
33 refund of the member's mandatory contributions in accordance with section 86.253 or 86.290, or
34 while receiving a disability retirement allowance in accordance with section 86.253 or 86.257, the
35 total amount of the member's mandatory contributions to the retirement system shall be paid without
36 interest to the surviving spouse of such member. Payment pursuant to this section shall be made
37 within sixty days after the later of the date proper proofs of death are provided or August 28, 1994,
38 regardless of when the member died or actually retired, provided that the surviving spouse shall be
39 alive on the date that payment is made.

40 86.290. Except in the case of a member who commenced employment for the first time on
41 or after October 1, 2018, who is not vested under section 86.354, should a member cease to be a
42 policeman except by death or actual retirement, the member may request payment of the amount of
43 the accumulated contributions standing to the credit of the member's individual account, including
44 members' interest, in which event such amount shall be paid to the member not later than one year
45 after the member ceases to be a policeman. If the former member is reemployed as a policeman
46 before any portion of such former member's accumulated contributions is distributed, no
47 distribution shall be made. If the former member is reemployed as a policeman after a portion of
48 the former member's accumulated contributions is distributed, the amount remaining shall also be

1 distributed.

2 86.320. 1. (1) The board of trustees shall certify to the chief of police who shall cause to
3 be deducted, prior to taxation, from the salary of each member hired before October 1, 2018, on
4 each and every payroll for each and every pay period, [seven] eight percent of the compensation of
5 each member who is not participating in the DROP, including each member whose participation in
6 the DROP has ended and who has returned to active participation in the system pursuant to section
7 86.251, and zero percent of the compensation of each member who is participating in the DROP or
8 whose participation in the DROP has ended but who has not returned to active participation in the
9 system pursuant to section 86.251.

10 (2) The board of trustees shall certify to the chief of police who shall cause to be deducted,
11 prior to taxation, from the salary of each member hired on or after October 1, 2018, on each and
12 every payroll for each and every pay period, nine percent of the compensation of each member who
13 is not participating in the DROP and zero percent of the compensation of each member who is
14 participating in the DROP.

15 2. The deductions provided for in this section shall be made notwithstanding that the
16 minimum compensation provided by law for any member shall be reduced thereby. Every member
17 shall be deemed to consent to the deductions made and provided for in this section, and shall receipt
18 for the member's full salary or compensation and payment of salary or compensation less such
19 deduction shall be a full and complete discharge and acquittance of all claims and demands
20 whatsoever for services rendered during the period covered by the payment except as to benefits
21 provided by sections 86.200 to 86.366. The chief of police shall certify to the board of trustees on
22 each and every payroll or in such other manner as the board of trustees shall prescribe the amount
23 deducted, and such amounts shall be paid into the system and shall be credited together with
24 members' interest thereon to the individual account of the member from whose compensation such
25 deduction was made.

26 3. The board of trustees is authorized to grant additional benefits for such parts of
27 contributions as were made prior to the adoption of the seven-percent rate for all members which
28 were in excess of the compulsory contributions required of each member.

29 86.330. 1. After each annual valuation, the actuary engaged by the board to make the
30 valuation required by sections 86.200 to 86.366, shall determine the normal contribution rate. The
31 normal contribution rate shall be the rate percent of the earnable compensation of all members
32 obtained by deducting from the total liabilities of the retirement system the amount of the assets in
33 hand to the credit of the retirement system and the present value of expected future member
34 contributions and dividing the remainder by one percent of the present value of the prospective
35 future compensation of all members as computed on the basis of mortality and service tables and
36 interest assumptions adopted by the board of trustees.

37 2. Notwithstanding the provisions of subsection 1 of this section, if a city not within a
38 county adopts an ordinance as described in subsection 2 of section 86.344, then, after the effective
39 date of such ordinance, for each annual valuation for the first of the plan years beginning with the
40 plan year of such adoption and each subsequent year, the actuary engaged by the board to make the
41 valuation required by sections 86.200 to 86.366 shall determine the normal cost for such year using
42 the entry age normal actuarial cost method as described in this subsection. Under the entry age
43 normal actuarial cost method, the actuarial present value of the projected benefits of each individual
44 included in an actuarial valuation is allocated on a level basis over the service of the individual
45 between entry age and assumed exit age. The portion of this actuarial present value allocated to a
46 valuation year is called the "normal cost".

47 86.333. 1. At the first valuation after the effective date of these amendments the actuary
48 engaged by the board of trustees shall compute the rate percent of the total earnable compensation

1 of all members which is equivalent to four percent of the amount of the total unfunded benefit
 2 liability on account of all members and beneficiaries which is not dischargeable by the aforesaid
 3 normal contribution made on account of such members during the remainder of their active service.
 4 The rate percent originally so determined shall be known as "the accrued liability contribution rate".

5 2. (1) Notwithstanding the provisions of subsection 1 of this section, if a city not within a
 6 county adopts an ordinance as described in subsection 2 of section 86.344, then, after each annual
 7 valuation for plan years beginning with the year of such adoption, the actuary engaged by the board
 8 to make the valuation required by sections 86.200 to 86.366 shall determine the actuarial accrued
 9 liability under the entry age normal actuarial cost method. Under the entry age normal actuarial
 10 cost method, the actuarial present value of the projected benefits of each individual included in an
 11 actuarial valuation is allocated on a level basis over the service of the individual between entry age
 12 and assumed exit age. The portion of this actuarial present value not provided for at a valuation
 13 date by the actuarial present value of future normal costs is called the "actuarial accrued liability".

14 (2) The actuary shall determine the initial unfunded actuarial accrued liability as the amount
 15 by which the actuarial accrued liability exceeds the actuarial value of the assets of the retirement
 16 system. The amortization payment for the initial unfunded actuarial accrued liability as of October
 17 1, 2018, shall be determined as a level percentage of payroll for a twenty-year period. The
 18 amortization period for subsequent years for the initial unfunded accrued liability shall decline by
 19 one year for each of the next twenty years. Any changes in the unfunded accrued liability that result
 20 from experience gains and losses, changes in actuarial assumptions, and changes in plan benefits for
 21 plan years beginning on or after October 1, 2018, shall be amortized in accordance with policies and
 22 procedures adopted by the board. Such policies shall include the period of amortization and pattern
 23 of payments, provided that the period of amortization is no more than thirty years. Other than the
 24 initial unfunded liability, the board may combine amortization periods in the interest of efficiency if
 25 the effect upon the contribution calculation is not considered material. Such policies adopted by the
 26 board shall be based on the advice of the system's actuary and shall comply with all applicable
 27 actuarial standards of practice.

28 86.337. 1. The total amount payable to the retirement system for each fiscal year shall be
 29 not less than the normal contribution rate of the total compensation earnable by all members during
 30 the year; provided, however, that the aggregate payment by the said cities shall be sufficient when
 31 combined with the assets of the retirement system to provide the pensions and other benefits payable
 32 during the then current year.

33 2. Notwithstanding the provisions of subsection 1 of this section, if a city not within a
 34 county adopts an ordinance as described in subsection 2 of section 86.344, the total amount payable
 35 to the retirement system for each plan year, beginning on or after October first of the year of the
 36 adoption of such ordinance, shall be not less than the greater of the following:

37 (1) The sum of:

38 (a) The normal cost determined under section 86.330; and

39 (b) The unfunded accrued liability contribution determined under section 86.333; or

40 (2) The amount, when combined with the assets of the retirement system, required to
 41 provide the pensions and other benefits payable during the then current plan year.

42 86.344. 1. On or before the first day of March of each year the board of trustees shall
 43 certify to the board of estimate and apportionment of the city the amounts which will become due
 44 and payable during the year next following for expenses pursuant to subsection 2 of section 86.343
 45 and the cost of benefits as determined pursuant to section 86.337. The amounts so certified shall be
 46 appropriated by the city and transferred to the retirement system in equal payments in the first six
 47 months of the ensuing year.

48 2. The city may change the actuarial formula by which such amounts are calculated to the

1 entry age normal actuarial cost method. The city may adopt an ordinance authorizing the change to
2 the entry age normal actuarial cost method, which ordinance shall include the city's expressed
3 acknowledgment that the benefit calculation formula change is undertaken voluntarily and not under
4 compulsion by the state of Missouri, so that the conversion does not implicate the provisions of
5 article X, sections 16 to 23 of the Constitution of Missouri. If either the provisions of this
6 subsection or the city's adoption of the entry age normal actuarial cost method is determined by a
7 final judgment of a court of competent jurisdiction to violate article X, sections 16 to 23 of the
8 Constitution of Missouri, then this subsection and subsection 2 of section 86.330, subsection 2 of
9 section 86.333, and subsection 2 of section 86.337 referencing this subsection shall be null and void,
10 the method of calculation shall revert to the method used before the effective date of this subsection,
11 and the board of trustees shall certify to the board of estimate and apportionment of the city the
12 amounts that will become due and payable during the year based upon the formula described in
13 subsection 1 of section 86.330, subsection 1 of section 86.333, and subsection 1 of section 86.337.

14 86.354. 1. A member's benefit shall be one hundred percent vested and nonforfeitable upon
15 the first of the following to occur:

- 16 (1) The member's attainment of age fifty-five, the normal retirement age; or
17 (2) The member's completion of twenty years of creditable service regardless of age; or
18 (3) The termination of the plan established pursuant to sections 86.200 to 86.366, to the
19 extent the plan is funded.

20 2. Notwithstanding any provision in subsection 1 of this section to the contrary:

21 (1) Any member who commenced employment before October 1, 2018, who has completed
22 a total of twenty years of creditable service is eligible for retirement at any age; and

23 (2) Any member who commenced employment for the first time on or after October 1,
24 2018, who is one hundred percent vested due to the completion of ten years of creditable service
25 shall not be eligible to receive a retirement allowance until the age of fifty-five.

26 3. Forfeitures of any nature under such plan shall not be used to increase the benefits of any
27 member, but shall be used to reduce the city's contributions pursuant to section 86.243.

28 86.355. Any member's retirement allowance under the provisions of sections 86.200 to
29 86.366 shall not be affected by where such member resides at any time during the members
30 employment or retirement."; and

31
32 Further amend said bill by amending the title, enacting clause, and intersectional references
33 accordingly.