

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND Senate Bill No. 17, Page 1, Section A, Line 2, by inserting after all of said section and line  
2 the following:

3  
4 "70.600. The following words and phrases as used in sections 70.600 to 70.755, unless a  
5 different meaning is plainly required by the context, shall mean:

6 (1) "Accumulated contributions", the total of all amounts deducted from the compensations  
7 of a member and standing to the member's credit in his or her individual account in the members  
8 deposit fund, together with investment credits thereon;

9 (2) "Actuarial equivalent", a benefit of equal reserve value;

10 (3) "Allowance", the total of the annuity and the pension. All allowances shall be paid not  
11 later than the tenth day of each calendar month;

12 (4) "Annuity", a monthly amount derived from the accumulated contributions of a member  
13 and payable by the system throughout the life of a person or for a temporary period;

14 (5) "Beneficiary", any person who is receiving or designated to receive a system benefit,  
15 except a retiree;

16 (6) "Benefit program", a schedule of benefits or benefit formulas from which the amounts of  
17 system benefits can be determined;

18 (7) "Board of trustees" or "board", the board of trustees of the system;

19 (8) "Compensation", the remuneration paid an employee by a political subdivision or by an  
20 elected fee official of the political subdivision for personal services rendered by the employee for  
21 the political subdivision or for the elected fee official in the employee's public capacity; provided,  
22 that for an elected fee official, "compensation" means that portion of his or her fees which is net  
23 after deduction of (a) compensation paid by such elected fee official to his or her office employees,  
24 if any, and (b) the ordinary and necessary expenses paid by such elected fee official and attributable  
25 to the operation of his or her office. In cases where an employee's compensation is not all paid in  
26 money, the political subdivision shall fix the reasonable value of the employee's compensation not  
27 paid in money. In determining compensation no consideration shall be given to:

28 (a) Any nonrecurring single sum payment paid by an employer;

29 (b) Employer contributions to any employee benefit plan or trust;

30 (c) Any other unusual or nonrecurring remuneration; or

31 (d) Compensation in excess of the limitations set forth in Internal Revenue Code Section  
32 401(a)(17). The limitation on compensation for eligible employees shall not be less than the amount  
33 which was allowed to be taken into account under the system as in effect on July 1, 1993. For  
34 purposes of this paragraph, an "eligible employee" is an individual who was a member of the system  
35 before the first plan year beginning after December 31, 1995;

36 (9) "Credited service", the total of a member's prior service and membership service, to the

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1 extent such service is standing to the member's credit as provided in sections 70.600 to 70.755;

2 (10) "Employee", any person regularly employed by a political subdivision who receives  
3 compensation from the political subdivision for personal services rendered the political subdivision,  
4 including any elected official of the political subdivision whose position requires his or her regular  
5 personal services and who is compensated wholly or in part on a fee basis, and including the  
6 employees of such elected fee officials who may be compensated by such elected fee officials. The  
7 term "employee" may include any elected county official. The term "employee" shall not include  
8 any person:

9 (a) Who is not an elected official of the political subdivision and who is included as an  
10 active member in any other plan similar in purpose to this system by reason of his or her  
11 employment with his or her political subdivision, except the federal Social Security Old Age,  
12 Survivors, and Disability Insurance Program, as amended; or

13 (b) Who acts for the political subdivision under contract; or

14 (c) Who is paid wholly on a fee basis, except elected officials and their employees; or

15 (d) Who holds the position of mayor, presiding judge, president or chairman of the political  
16 subdivision or is a member of the governing body of the political subdivision; except that, such an  
17 official of a political subdivision having ten or more other employees may become a member if the  
18 official is covered under the federal Social Security Old Age, Survivors, and Disability Insurance  
19 Program, as amended, by reason of such official's employment with his or her political subdivision,  
20 by filing written application for membership with the board after the date the official qualifies for  
21 such position or within thirty days after the date his or her political subdivision becomes an  
22 employer, whichever date is later;

23 (11) "Employer", any political subdivision which has elected to have all its eligible  
24 employees covered by the system;

25 (12) "Final average salary", the monthly average of the compensations paid an employee  
26 during the period of sixty or, if an election has been made in accordance with section 70.656, thirty-  
27 six consecutive months of credited service producing the highest monthly average, which period is  
28 contained within the period of one hundred twenty consecutive months of credited service  
29 immediately preceding his or her termination of membership. Should a member have less than sixty  
30 or, if an election has been made in accordance with section 70.656, thirty-six months of credited  
31 service, "final average salary" means the monthly average of compensation paid the member during  
32 his or her total months of credited service;

33 (13) "Fireman", any regular or permanent employee of the fire department of a political  
34 subdivision, including a probationary fireman. The term "fireman" shall not include:

35 (a) Any volunteer fireman; or

36 (b) Any civilian employee of a fire department; or

37 (c) Any person temporarily employed as a fireman for an emergency;

38 (14) "Member", any employee included in the membership of the system;

39 (15) "Membership service", employment as an employee with the political subdivision from  
40 and after the date such political subdivision becomes an employer, which employment is creditable  
41 as service hereunder;

42 (16) "Minimum service retirement age", age sixty for a member who is neither public safety  
43 personnel as defined in section 70.631, a policeman, nor a fireman; "minimum service retirement  
44 age", age fifty-five for a member who is public safety personnel as defined in section 70.631, a  
45 policeman, or a fireman;

46 (17) "Pension", a monthly amount derived from contributions of an employer and payable  
47 by the system throughout the life of a person or for a temporary period;

48 (18) "Policeman", any regular or permanent employee of the police department of a political  
49 subdivision, including a probationary policeman. The term "policeman" shall not include:

1 (a) Any civilian employee of a police department; or

2 (b) Any person temporarily employed as a policeman for an emergency;

3 (19) "Political subdivision", any governmental subdivision of this state created pursuant to  
4 the laws of this state, and having the power to tax, except public school districts; a board of utilities  
5 or a board of public works which is required by charter or ordinance to establish the compensation  
6 of employees of the utility separate from the compensation of other employees of the city may be  
7 considered a political subdivision for purposes of sections 70.600 to 70.755; a joint municipal utility  
8 commission may be considered a political subdivision for purposes of sections 70.600 to 70.755;

9 (20) "Prior service", employment as an employee with the political subdivision prior to the  
10 date such political subdivision becomes an employer, which employment is creditable as service  
11 hereunder;

12 (21) "Regular interest" or "investment credits", such reasonable rate or rates per annum,  
13 compounded annually, as the board shall adopt annually;

14 (22) "Reserve", the present value of all payments to be made on account of any system  
15 benefit based upon such tables of experience and regular interest as the board shall adopt from time  
16 to time;

17 (23) "Retirant", a former member receiving a system allowance by reason of having been a  
18 member;

19 (24) "Retirement system" or "system", the Missouri local government employees' retirement  
20 system.

21 70.631. 1. Each political subdivision may, by majority vote of its governing body, elect to  
22 cover emergency telecommunicators, jailors, and emergency medical service personnel as public  
23 safety personnel members of the system. The clerk or secretary of the political subdivision shall  
24 certify an election concerning the coverage of emergency telecommunicators, jailors, and  
25 emergency medical service personnel as public safety personnel members of the system to the board  
26 within ten days after such vote. The date in which the political subdivision's election becomes  
27 effective shall be the first day of the calendar month specified by such governing body, the first day  
28 of the calendar month next following receipt by the board of the certification of the election, or the  
29 effective date of the political subdivision's becoming an employer, whichever is the latest date.  
30 Such election shall not be changed after the effective date. If the election is made, the coverage  
31 provisions shall be applicable to all past and future employment with the employer by present and  
32 future employees. If a political subdivision makes no election under this section, no emergency  
33 telecommunicator, jailor, or emergency medical service personnel of the political subdivision shall  
34 be considered public safety personnel for purposes determining a minimum service retirement age  
35 as defined in section 70.600.

36 2. If an employer elects to cover emergency telecommunicators, jailors, and emergency  
37 medical service personnel as public safety personnel members of the system, the employer's  
38 contributions shall be correspondingly changed effective the same date as the effective date of the  
39 political subdivision's election.

40 3. The limitation on increases in an employer's contributions provided by subsection 6 of  
41 section 70.730 shall not apply to any contribution increase resulting from an employer making an  
42 election under the provisions of this section.

43 169.141. 1. Any person receiving a retirement allowance under sections 169.010 to  
44 169.140, and who elected a reduced retirement allowance under subsection 3 of section 169.070  
45 with his or her spouse as the nominated beneficiary, may nominate a successor beneficiary under  
46 either of the following circumstances:

47 (1) If the nominated beneficiary precedes the retired person in death, the retired person may,  
48 upon remarriage, nominate the new spouse under the same option elected in the application for  
49 retirement;

1 (2) If the marriage of the retired person and the nominated beneficiary is dissolved, and if  
 2 the dissolution decree provides for sole retention by the retired person of all rights in the retirement  
 3 allowance, the retired person may, upon remarriage, nominate the new spouse under the same option  
 4 elected in the application for retirement.

5 2. Any nomination of a successor beneficiary under subdivision (1) or (2) of subsection 1 of  
 6 this section must be made in accordance with procedures established by the board of trustees, and  
 7 must be filed within ninety days of May 6, 1993, or within one year of the remarriage, whichever  
 8 later occurs. Upon receipt of a successor nomination filed in accordance with those procedures, the  
 9 board shall adjust the retirement allowance to reflect actuarial considerations of that nomination as  
 10 well as previous beneficiary and successor beneficiary nominations.

11 3. Any person receiving a retirement allowance under sections 169.010 to 169.140 who  
 12 elected a reduced retirement allowance under subsection 3 of section 169.070 with his or her spouse  
 13 as the nominated beneficiary may have the retirement allowance increased to the amount the retired  
 14 member would be receiving had the retired member elected option 1 if:

15 (1) The marriage of the retired person and the nominated spouse is dissolved on or after  
 16 September 1, 2017[;

17 (2) The], and the dissolution decree provides for sole retention by the retired person of all  
 18 rights in the retirement allowance; [and] or

19 (2) The marriage of the retired person and the nominated spouse was dissolved before  
 20 September 1, 2017, and:

21 (a) The dissolution decree provides for sole retention by the retired person of all rights in the  
 22 retirement allowance, and the parties obtain an amended or modified dissolution decree after  
 23 September 1, 2017, providing for the immediate removal of the nominated spouse, or the nominated  
 24 spouse consents in writing to his or her immediate removal as nominated beneficiary and disclaims  
 25 all rights to future benefits to the satisfaction of the board of trustees; or

26 (b) The dissolution decree does not provide for sole retention by the retired person of all  
 27 rights in the retirement allowance and the parties obtain an amended or modified dissolution decree  
 28 after September 1, 2017, which provides for sole retention by the retired person of all rights in the  
 29 retirement allowance; and

30 (3) The person receives a retirement allowance under subsection 3 of section 169.070.

31  
 32 Any such increase in the retirement allowance shall be effective upon the receipt of an application  
 33 for such increase and a certified copy of the decree of dissolution and separation agreement, if  
 34 applicable, that meets the requirements of this section."; and

35  
 36 Further amend said bill, Page 3, Section 169.560, Line 66, by inserting after all of said section and  
 37 line the following:

38  
 39 "169.715. 1. Any person receiving a retirement allowance under sections 169.600 to  
 40 169.712, and who elected a reduced retirement allowance under subsection 4 of section 169.670  
 41 with his or her spouse as the nominated beneficiary, may nominate a successor beneficiary under  
 42 either of the following circumstances:

43 (1) If the nominated beneficiary precedes the retired person in death, the retired person may,  
 44 upon remarriage, nominate the new spouse under the same option elected in the application for  
 45 retirement;

46 (2) If the marriage of the retired person and the nominated beneficiary is dissolved, and if  
 47 the dissolution decree provides for sole retention by the retired person of all rights in the retirement  
 48 allowance, the retired person may, upon remarriage, nominate the new spouse under the same option  
 49 elected in the application for retirement.

1           2. Any nomination of a successor beneficiary under subdivision (1) or (2) of subsection 1 of  
2 this section must be made in accordance with procedures established by the board of trustees, and  
3 must be filed within ninety days of May 6, 1993, or within one year of the remarriage, whichever  
4 later occurs. Upon receipt of a successor nomination filed in accordance with those procedures, the  
5 board shall adjust the retirement allowance to reflect actuarial considerations of that nomination as  
6 well as previous beneficiary and successor beneficiary nominations.

7           3. Any person receiving a retirement allowance under sections 169.600 to 169.715 who  
8 elected a reduced retirement allowance under subsection 4 of section 169.670 with his or her spouse  
9 as the nominated beneficiary may have the retirement allowance increased to the amount the retired  
10 member would be receiving had the retired member elected option 1 if:

11           (1) The marriage of the retired person and the nominated spouse is dissolved on or after  
12 September 1, 2017[;

13           (2) The], and the dissolution decree provides for sole retention by the retired person of all  
14 rights in the retirement allowance; [and] or

15           (2) The marriage of the retired person and the nominated spouse was dissolved before  
16 September 1, 2017, and:

17           (a) The dissolution decree provides for sole retention by the retired person of all rights in the  
18 retirement allowance, and the parties obtain an amended or modified dissolution decree after  
19 September 1, 2017, providing for the immediate removal of the nominated spouse, or the nominated  
20 spouse consents in writing to his or her immediate removal as nominated beneficiary and disclaims  
21 all rights to future benefits to the satisfaction of the board of trustees; or

22           (b) The dissolution decree does not provide for sole retention by the retired person of all  
23 rights in the retirement allowance and the parties obtain an amended or modified dissolution decree  
24 after September 1, 2017, which provides for sole retention by the retired person of all rights in the  
25 retirement allowance; and

26           (3) The person receives a retirement allowance under subsection 4 of section 169.670.

27  
28 Any such increase in the retirement allowance shall be effective upon the receipt of an application  
29 for such increase and a certified copy of the decree of dissolution and separation agreement, if  
30 applicable, that meets the requirements of this section."; and

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