

FIRST REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 147
103RD GENERAL ASSEMBLY

0295S.09T

2025

AN ACT

To repeal sections 57.280, 57.952, 57.955, 57.961, 57.962, 57.967, 70.630, 70.655, 70.680, 70.690, 70.745, 70.746, 70.747, 84.540, 84.570, 86.200, 87.140, 87.145, 87.155, 87.260, 87.350, 105.688, 169.450, 169.490, 483.088, 488.024, and 488.435, RSMo, and to enact in lieu thereof twenty-seven new sections relating to retirement.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 57.280, 57.952, 57.955, 57.961, 57.962, 57.967, 70.630, 70.655, 2 70.680, 70.690, 70.745, 70.746, 70.747, 84.540, 84.570, 86.200, 87.140, 87.145, 87.155, 3 87.260, 87.350, 105.688, 169.450, 169.490, 483.088, 488.024, and 488.435, RSMo, are 4 repealed and twenty-seven new sections enacted in lieu thereof, to be known as sections 5 57.280, 57.952, 57.956, 57.961, 57.967, 70.630, 70.655, 70.680, 70.690, 70.745, 70.746, 6 70.747, 70.748, 84.540, 84.570, 86.200, 87.140, 87.145, 87.155, 87.260, 87.350, 105.688, 7 105.692, 105.693, 169.450, 169.490, and 488.435, to read as follows:

57.280. 1. Sheriffs shall receive a charge for service of any summons, writ, or other 2 order of court, in connection with any civil case, and making on the same either a return 3 indicating service, a non est return or a nulla bona return, the sum of twenty dollars for each 4 item to be served, except that a sheriff shall receive a charge for service of any subpoena, and 5 making a return on the same, the sum of ten dollars; however, no such charge shall be 6 collected in any proceeding when ~~court~~ costs **for service** are to be paid by the state, county, 7 or municipality. In addition to such charge, the sheriff shall be entitled to receive for each 8 mile actually traveled in serving any summons, writ, subpoena, or other order of court the rate

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

9 prescribed by the Internal Revenue Service for all allowable expenses for motor vehicle use
10 expressed as an amount per mile, provided that such mileage shall not be charged for more
11 than one subpoena or summons or other writ served in the same cause on the same trip. All of
12 such charges shall be received by the sheriff who is requested to perform the service. Except
13 as otherwise provided by law, all charges made pursuant to this section shall be collected by
14 the ~~the court clerk as court costs~~ **sheriff's office responsible for service** and are payable prior
15 to the time the service is rendered; provided that if the amount of such charge cannot be
16 readily determined, then the sheriff shall receive a deposit based upon the likely amount of
17 such charge, and the balance of such charge shall be payable immediately upon ascertainment
18 of the proper amount of said charge. A sheriff may refuse to perform any service in any
19 action or proceeding, other than when ~~court~~ costs **for service** are waived as provided by law,
20 until the charge provided by this section is paid. Failure to receive the charge shall not affect
21 the validity of the service.

22 2. The sheriff shall receive for receiving and paying moneys on execution or other
23 process, where lands or goods have been levied and advertised and sold, five percent on five
24 hundred dollars and four percent on all sums above five hundred dollars, and half of these
25 sums, when the money is paid to the sheriff without a levy, or where the lands or goods levied
26 on shall not be sold and the money is paid to the sheriff or person entitled thereto, his agent or
27 attorney. The party at whose application any writ, execution, subpoena, or other process has
28 issued from the court shall pay the sheriff's costs for the removal, transportation, storage,
29 safekeeping and support of any property to be seized pursuant to legal process before such
30 seizure. The sheriff shall be allowed for each mile, going and returning from the courthouse
31 of the county in which he resides to the place where the court is held, the rate prescribed by
32 the Internal Revenue Service for all allowable expenses for motor vehicle use expressed as an
33 amount per mile. The provisions of this subsection shall not apply to garnishment proceeds.

34 3. The sheriff upon the receipt of the charge herein provided for shall pay into the
35 treasury of the county any and all charges received pursuant to the provisions of this section.
36 The funds collected pursuant to this section, not to exceed ~~[fifty]~~ **seventy-five** thousand
37 dollars in any calendar year, shall be held in a fund established by the county treasurer, which
38 may be expended at the discretion of the sheriff for the furtherance of the sheriff's set duties.
39 Any such funds in excess of ~~[fifty]~~ **seventy-five** thousand dollars in any calendar year shall be
40 placed to the credit of the general revenue fund of the county. Moneys in the fund shall be
41 used only for the procurement of services and equipment to support the operation of the
42 sheriff's office. Moneys in the fund established pursuant to this subsection shall not lapse to
43 the county general revenue fund at the end of any county budget or fiscal year.

44 4. **(1)** Notwithstanding the provisions of subsection 3 of this section to the contrary,
45 ~~[the sheriff shall receive ten dollars]~~ for service of any summons, writ, subpoena, or other

46 order of the court included under subsection 1 of this section, in addition to the charge for
47 such service that each sheriff receives under subsection 1 of this section, **the sheriff of any**
48 **county of the first, second, or fourth classification or with a charter form of government**
49 **shall receive twenty dollars and the sheriff of any county of the third classification shall**
50 **receive fifteen dollars.** The money received by the sheriff under this subsection shall be paid
51 into the county treasury and the county treasurer shall make such money payable to the state
52 treasurer.

53 **(2) For any moneys received by the state treasurer from the county treasurer of**
54 **any county of the first, second, or fourth classification or with a charter form of**
55 **government,** the state treasurer shall deposit **ten dollars** of such moneys in the deputy sheriff
56 salary supplementation fund created under section 57.278 **and ten dollars of such moneys in**
57 **the sheriffs' retirement fund created under section 57.952, except that any moneys**
58 **received from a county that does not have a sheriff that participates in the sheriffs'**
59 **retirement system authorized by sections 57.949 to 57.997 shall be deposited in full in**
60 **the deputy sheriff supplementation fund.** Any other person specially appointed to serve in
61 a county shall execute and deliver to the circuit clerk, along with the confirmation of service,
62 a signed and notarized affidavit of confirmation, made under penalty of perjury, that includes
63 the amount, check number, and date of payment to evidence payment was made to the sheriff
64 for the deputy sheriff salary supplementation fund **and the sheriffs' retirement fund** as
65 required by this subsection.

66 **(3) For any moneys received by the state treasurer from the county treasurer of**
67 **any county of the third classification,** the state treasurer shall deposit **ten dollars** of such
68 **moneys in the deputy sheriff salary supplementation fund created under section 57.278**
69 **and five dollars of such moneys in the sheriffs' retirement fund created under section**
70 **57.952, except that any moneys received from a county that does not have a sheriff that**
71 **participates in the sheriffs' retirement system authorized by sections 57.949 to 57.997**
72 **shall be deposited in full in the deputy sheriff supplementation fund.** Any other person
73 specially appointed to serve in a county shall execute and deliver to the circuit clerk,
74 along with the confirmation of service, a signed and notarized affidavit of confirmation,
75 made under penalty of perjury, that includes the amount, check number, and date of
76 payment to evidence payment was made to the sheriff for the deputy sheriff salary
77 supplementation fund **and the sheriffs' retirement fund** as required by this subsection.

78 5. Notwithstanding the provisions of subsection 3 of this section, the court clerk shall
79 collect ten dollars as a court cost for service of any summons, writ, subpoena, or other order
80 of the court included under subsection 1 of this section if any person other than a sheriff is
81 specially appointed to serve in a county that receives funds under section 57.278. The
82 moneys received by the court clerk under this subsection shall be paid into the county treasury

83 and the county treasurer shall make such moneys payable to the state treasurer. The state
84 treasurer shall deposit such moneys in the deputy sheriff salary supplementation fund created
85 under section 57.278.

86 6. Sheriffs shall receive up to fifty dollars for service of any summons, writ, or other
87 order of the court in connection with any eviction proceeding, in addition to the charge for
88 such service that each sheriff receives under this section. All of such charges shall be
89 received by the sheriff who is requested to perform the service and shall be paid to the county
90 treasurer in a fund established by the county treasurer, which may be expended at the
91 discretion of the sheriff for the furtherance of the sheriff's set duties. All charges shall be
92 payable prior to the time the service is rendered; provided that if the amount of such charge
93 cannot be readily determined, then the sheriff shall receive a deposit based upon the likely
94 amount of such charge, and the balance of such charge shall be payable immediately upon
95 ascertainment of the proper amount of said charge.

57.952. 1. There is hereby authorized a "Sheriffs' Retirement Fund" which shall be
2 under the management of ~~[a]~~ **the board** ~~[of directors]~~ as described in section 57.958. The
3 board ~~[of directors]~~ shall be responsible for the administration and the investment of the funds
4 of such sheriffs' retirement fund. The general assembly and the governing body of a county
5 may appropriate funds for deposit in the sheriffs' retirement fund. ~~[If insufficient funds are
6 generated to provide the benefits payable pursuant to the provisions of sections 57.949 to
7 57.997, the board shall proportion the benefits according to the funds available.]~~

8 2. The board may accept gifts, donations, grants, and bequests from public or private
9 sources to the sheriffs' retirement fund.

10 3. Each county shall make the payroll deductions for member contributions mandated
11 under section 57.961, and the county shall transmit such moneys to the board for deposit into
12 the sheriffs' retirement fund.

**57.956. 1. Notwithstanding any other provision of law to the contrary, the
2 department of corrections shall subtract and make a payment to the state treasurer
3 from any per diem cost of incarceration to be received by each county under section
4 221.105, or from any per diem cost for jail reimbursement to be received by each county
5 under any other provision of law in effect on or after August 28, 2025, in the amount of
6 one dollar and seventy-five cents per day per prisoner. The state treasurer shall deposit
7 such funds in the sheriffs' retirement fund created under section 57.952.**

8 **2. Notwithstanding subsection 1 of this section to the contrary, if the sheriffs'
9 retirement fund is funded to at least ninety percent of the actuarially sound level and is
10 funded at a level above the actuarial need, the department of corrections shall subtract
11 and make a payment to the state treasurer from any per diem cost of incarceration to be
12 received by each county under section 221.105, or from any per diem cost for jail**

13 reimbursement to be received by each county under any other provision of law in effect
14 on or after August 28, 2025, in the amount of one dollar per day per prisoner. The state
15 treasurer shall deposit such funds in the sheriffs' retirement fund created under section
16 57.952. The retirement system shall annually provide a copy of its actuarial report to
17 the department of corrections.

18 **3. The payment authorized by this section shall only apply to counties that have**
19 **a sheriff who participates in the retirement system.**

20 **4. This section shall be effective on January 1, 2026.**

57.961. 1. On and after the effective date of the establishment of the system, as an
2 incident to his or her employment or continued employment, each person employed as an
3 elected or appointed sheriff of a county shall become a member of the system. Such
4 membership shall continue as long as the person continues to be an employee, or receives or
5 is eligible to receive benefits under the provisions of sections 57.949 to 57.997.

6 2. Notwithstanding any other provision of law to the contrary, each person who is a
7 member of the system on or after January 1, 2024, shall be required to contribute five percent
8 of the member's pay to the ~~[retirement]~~ system. Such contribution shall be made **by the**
9 **member of the system** notwithstanding that the minimum salary or wages provided by law
10 for any member shall thereby be changed. Each member shall be deemed to consent and
11 agree to the deduction made and provided for herein. Payment of a member's compensation
12 less such deduction shall be a full and complete discharge and acquittance of all claims and
13 demands whatsoever for services rendered by him or her to a county, except as to benefits
14 provided by this system.

15 3. **The county employer, pursuant to the provisions of 26 U.S.C. Section 414(h)**
16 **(2), shall pick up and pay the contributions that would otherwise be payable by the**
17 **member under this section.** The officer or officers responsible for making up the payrolls
18 for each county shall cause the contribution provided for in this section to be deducted from
19 the compensation of the member in the employ of the county, on each and every payroll, for
20 each and every payroll to the date his or her membership terminates. When deducted, each
21 contribution shall be paid by the county to the system; the payments shall be made in the
22 manner and shall be accompanied by such supporting data as the board shall from time to
23 time prescribe. When paid to the system, each of the contributions shall be credited to the
24 member from whose compensation the contributions were deducted. The contributions so
25 deducted shall be treated as ~~[employee]~~ **employer** contributions for purposes of determining
26 the member's pay that is includable in the member's gross income for federal income tax
27 purposes.

28 4. Member contributions ~~[deducted and paid into the system by the county]~~ **picked**
29 **up by the employer** shall be paid from the same source of funds used for the payment of pay

30 to a member. A deduction shall be made from each member's pay equal to the amount of the
31 member's contributions picked up by the employer. This deduction, however, shall not reduce
32 the member's pay for purposes of computing benefits under the [retirement] system under this
33 chapter.

34 5. The contributions, although designated as employee contributions, shall be paid by
35 the county in lieu of the contributions by the member. The member shall not have the option
36 of choosing to receive the contributed amounts directly instead of having them paid by the
37 county to the [retirement] system.

38 6. A former member who is not vested may request a refund of his or her
39 contributions. Such refund shall be paid by the system after ninety days from the date of
40 termination of employment or the request, whichever is later, and shall include all
41 contributions made to any retirement plan administered by the system.

42 7. Beginning September 1, 1986, any city not within a county and any county having
43 a charter form of government may elect, by a majority vote of its governing body, to come
44 under the provisions of sections 57.949 to 57.997 [~~except for the provisions of section~~
45 ~~57.955~~]. Notice in writing of such election shall be given to the board, and the person
46 employed as sheriff of such county, as an incident of his contract of employment or continued
47 employment, shall become a member of the system on the first day of the month immediately
48 following the date the board receives notice. Such membership shall continue as long as the
49 person continues to be an employee, or receives or is eligible to receive benefits under the
50 provisions of sections 57.949 to 57.997, and upon becoming a member he shall receive credit
51 for all prior service as if he had become a member on December 22, 1983.

52 8. Subject to the limitations under sections 57.949 to 57.997, the board shall have the
53 authority to formulate and adopt rules and regulations for the administration of these
54 provisions.

57.967. 1. The normal annuity of a retired member shall equal two percent of the
2 final average compensation of the retired member multiplied by the number of years of
3 creditable service of the retired member, except that the normal annuity shall not exceed
4 seventy-five percent of the retired member's average final compensation. Such annuity shall
5 be not less than one thousand dollars per month.

6 2. The board, at its last meeting of each calendar year, shall determine the monthly
7 amount for medical insurance premiums to be paid to each retired member during the next
8 following calendar year. The monthly amount shall not exceed four hundred fifty dollars.
9 The monthly payments are at the discretion of the board on the advice of the actuary. The
10 anticipated sum of all such payments during the year plus the annual normal cost plus the
11 annual amount to amortize the unfunded actuarial accrued liability in no more than thirty
12 years shall not exceed the anticipated moneys credited to the system pursuant to [sections]

13 **section 57.952** [~~and 57.955~~]. The money amount granted here shall not be continued to any
14 survivor.

15 3. If a member with eight or more years of service dies before becoming eligible for
16 retirement, the member's surviving spouse, if he or she has been married to the member for at
17 least two years prior to the member's death, shall be entitled to survivor benefits under option
18 1 as set forth in section 57.979 as if the member had retired on the date of the member's death.
19 The member's monthly benefit shall be calculated as the member's accrued benefit at his or
20 her death reduced by one-fourth of one percent per month for an early commencement from
21 the member's normal retirement date: age fifty-five with twelve or more years of creditable
22 service or age sixty-two with eight years of creditable service, to the member's date of death.
23 Such benefit shall be payable on the first day of the month following the member's death and
24 shall be payable during the surviving spouse's lifetime.

70.630. 1. The membership of the system shall include the following persons:

2 (1) All employees who are neither policemen nor firemen who are in the employ of a
3 political subdivision the day preceding the date such political subdivision becomes an
4 employer and who continue in such employ on and after such date shall become members of
5 the system.

6 (2) All persons who become employed by a political subdivision as neither policemen
7 nor firemen on or after the date such political subdivision becomes an employer shall become
8 members of the system.

9 (3) If his employing political subdivision has elected to cover present and future
10 policemen, all policemen who are in the employ of a political subdivision the day preceding
11 the date such political subdivision covers policemen hereunder and who continue in such
12 employ as a policeman on and after such date, and all persons who become employed by a
13 political subdivision as a policeman on or after the date the political subdivision covers
14 policemen shall become members of the system.

15 (4) If his employing political subdivision has elected to cover only future policemen,
16 all persons who become employed by a political subdivision as a policeman on or after the
17 date such political subdivision covers policemen hereunder shall become members of the
18 system.

19 (5) If his employing political subdivision has elected to cover present and future
20 firemen, all firemen who are in the employ of a political subdivision the day preceding the
21 date such political subdivision covers firemen hereunder and who continue in such employ as
22 a fireman on and after such date, and all persons who become employed by a political
23 subdivision as a fireman on or after the date the political subdivision covers firemen
24 hereunder shall become members of the system.

25 (6) If his employing political subdivision has elected to cover only future firemen, all
26 persons who become employed by a political subdivision as a fireman on or after the date
27 such political subdivision covers firemen hereunder shall become members of the system.

28 2. ~~[In no event shall an employee become a member if continuous employment to~~
29 ~~time of retirement will leave the employee with less than minimum number of years of~~
30 ~~credited service specified in section 70.645.~~

31 ~~3.]~~ In any case of question as to the system membership status of any person, the
32 board shall decide the question.

70.655. 1. Upon a member's retirement he or she shall receive an allowance for life in
2 accordance with the applicable benefit program elected by the member's employer, as
3 follows:

4 (1) Benefit program L-1. A member with credited service covered by benefit
5 program L-1 shall receive an allowance for life equal to one percent of the member's final
6 average salary multiplied by the number of years of such credited service;

7 (2) Benefit program L-3. A member with credited service covered by benefit
8 program L-3 shall receive an allowance for life equal to one and one-quarter percent of the
9 member's final average salary multiplied by the number of years of such credited service;

10 (3) Benefit program LT-4. A member with credited service covered by benefit
11 program LT-4 shall receive an allowance for life equal to one percent of the member's final
12 average salary multiplied by the number of years of such credited service. In addition, if such
13 member is retiring as provided in section 70.645 or section 70.650 or section 70.670, and if
14 such member's age at retirement is younger than age sixty-two, then such member shall
15 receive a temporary allowance equal to one percent of the member's final average salary
16 multiplied by the number of years of such credited service. Such temporary allowance shall
17 terminate at the end of the calendar month in which the earlier of the following events occurs:
18 such member's death; or the member's attainment of age sixty-two;

19 (4) Benefit program LT-5. A member with credited service covered by benefit
20 program LT-5 shall receive an allowance for life equal to one and one-quarter percent of the
21 member's final average salary multiplied by the number of years of such credited service. In
22 addition, if such member is retiring as provided in section 70.645 or section 70.650 or section
23 70.670, and if such member's age at retirement is younger than age sixty-two, then such
24 member shall receive a temporary allowance equal to three-quarters of one percent of the
25 member's final average salary multiplied by the number of years of such credited service.
26 Such temporary allowance shall terminate at the end of the calendar month in which the
27 earlier of the following events occurs: such member's death; or the member's attainment of
28 age sixty-two;

29 (5) Benefit program L-6. A member with credited service covered by benefit
30 program L-6 shall receive an allowance for life equal to two percent of the member's final
31 average salary multiplied by the number of years of such credited service;

32 (6) Benefit program L-7. A member with credited service covered by benefit
33 program L-7 shall receive an allowance for life equal to one and one-half percent of the
34 member's final average salary multiplied by the number of years of such credited service;

35 (7) Benefit program LT-8. A member with credited service covered by benefit
36 program LT-8 shall receive an allowance for life equal to one and one-half percent of the
37 member's final average salary multiplied by the number of years of such credited service. In
38 addition, if such member is retiring as provided in section 70.645 or section 70.650 or section
39 70.670, and if such member's age at retirement is younger than age sixty-two, then such
40 member shall receive a temporary allowance equal to one-half of one percent of the member's
41 final average salary multiplied by the number of years of such credited service. Such
42 temporary allowance shall terminate at the end of the calendar month in which the earlier of
43 the following events occurs: such member's death; or the member's attainment of age sixty-
44 two;

45 (8) Benefit program LT-4(65). A member with credited service covered by benefit
46 program LT-4(65) shall receive an allowance for life equal to one percent of the member's
47 final average salary multiplied by the number of years of such credited service. In addition, if
48 such member is retiring as provided in section 70.645 or section 70.650 or section 70.670, and
49 if such member's age at retirement is younger than age sixty-five, then such member shall
50 receive a temporary allowance equal to one percent of the member's final average salary
51 multiplied by the number of years of such credited service. Such temporary allowance shall
52 terminate at the end of the calendar month in which the earlier of the following events occurs:
53 such member's death; or the member's attainment of age sixty-five;

54 (9) Benefit program LT-5(65). A member with credited service covered by benefit
55 program LT-5(65) shall receive an allowance for life equal to one and one-quarter percent of
56 the member's final average salary multiplied by the number of years of such credited service.
57 In addition, if such member is retiring as provided in section 70.645 or section 70.650 or
58 section 70.670, and if such member's age at retirement is younger than age sixty-five, then
59 such member shall receive a temporary allowance equal to three-quarters of one percent of
60 the member's final average salary multiplied by the number of years of such credited service.
61 Such temporary allowance shall terminate at the end of the calendar month in which the
62 earlier of the following events occurs: such member's death; or the member's attainment of
63 age sixty-five;

64 (10) Benefit program LT-8(65). A member with credited service covered by benefit
65 program LT-8(65) shall receive an allowance for life equal to one and one-half percent of the

66 member's final average salary multiplied by the number of years of such credited service. In
67 addition, if such member is retiring as provided in section 70.645 or section 70.650 or section
68 70.670, and if such member's age at retirement is younger than age sixty-five, then such
69 member shall receive a temporary allowance equal to one-half of one percent of the member's
70 final average salary multiplied by the number of years of such credited service. Such
71 temporary allowance shall terminate at the end of the calendar month in which the earlier of
72 the following events occurs: such member's death; or the member's attainment of age sixty-
73 five;

74 (11) Benefit program L-9. A member with credited service covered by benefit
75 program L-9 shall receive an allowance for life equal to one and six-tenths percent of the
76 member's final average salary multiplied by the number of years of such credited service;

77 (12) Benefit program LT-10(65). A member with credited service covered by benefit
78 program LT-10(65) shall receive an allowance for life equal to one and six-tenths percent of
79 the members' final average salary multiplied by the number of years of such credited service.
80 In addition, if such member is retiring as provided in section 70.645 or section 70.650 or
81 section 70.670, and if such member's age at retirement is younger than age sixty-five, then
82 such member shall receive a temporary allowance equal to four-tenths of one percent of the
83 member's final average salary multiplied by the number of years of such credited service.
84 Such temporary allowance shall terminate at the end of the calendar month in which the
85 earlier of the following events occurs: such member's death; or the member's attainment of
86 age sixty-five;

87 (13) Benefit program L-11. Benefit program L-11 may cover employment in a
88 position only if such position is not concurrently covered by federal Social Security; in
89 addition, if such position was previously covered by federal Social Security, benefit program
90 L-11 may cover only employment rendered after cessation of federal Social Security
91 coverage. A member with credited service covered by benefit program L-11 shall receive an
92 allowance for life equal to two and one-half percent of the member's final average salary
93 multiplied by the number of years of such credited service;

94 (14) Benefit program L-12. A member with credited service covered by benefit
95 program L-12 shall receive an allowance for life equal to one and three-quarter percent of the
96 member's final average salary multiplied by the number of years of such credited service;

97 (15) Benefit program LT-14(65). A member with credited service covered by benefit
98 program LT-14(65) shall receive an allowance for life equal to one and three-quarter percent
99 of the member's final average salary multiplied by the number of years of such credited
100 service. In addition, if such member is retiring as provided in section 70.645, 70.650, or
101 70.670, then such member shall receive a temporary allowance equal to one-quarter of one
102 percent of the member's final average salary multiplied by the number of years of such

103 credited service. Such temporary allowance shall terminate at the end of the calendar month
104 in which the earlier of the following events occurs: such member's death or the member's
105 attainment of age sixty-five.

106 2. If each portion of a member's credited service is not covered by the same benefit
107 program, then the member's total allowance for life shall be the total of the allowance for life
108 determined under each applicable benefit program.

109 3. Each employer shall have the credited service of each of its members covered by
110 benefit program L-1 provided for in this section unless such employer shall have elected
111 another benefit program provided for in this section.

112 4. Except as otherwise provided in this subsection, each political subdivision, by
113 majority vote of its governing body, may elect from time to time to cover its members, whose
114 political subdivision employment is concurrently covered by federal Social Security, under
115 one of the benefit programs provided for in this section. Each political subdivision, by
116 majority vote of its governing body, may elect from time to time to cover its members, whose
117 political subdivision employment is not concurrently covered by federal Social Security,
118 under one of the benefit programs provided for in this section. The clerk or secretary of the
119 political subdivision shall certify the election of the benefit program to the board within ten
120 days after such vote. The effective date of the political subdivision's benefit program is the
121 first day of the calendar month specified by such governing body, or the first day of the
122 calendar month next following receipt by the board of the certification of election of benefit
123 program, or the effective date of the political subdivision becoming an employer, whichever
124 is the latest. Such election of benefit program may be changed from time to time by such
125 vote, but not more often than biennially. If such changed benefit program provides larger
126 allowances than the benefit program previously in effect, then such larger benefit program
127 shall be applicable to the past and future employment with the employer by present and future
128 employees. If such changed benefit program provides smaller allowances than the benefit
129 program previously in effect, then such changed benefit program shall be applicable only to
130 credited service for employment rendered from and after the effective date of such change.
131 After August 28, 1994, political subdivisions shall not elect coverage under benefit program
132 LT-4, benefit program LT-5, or benefit program LT-8. After August 28, 2005, political
133 subdivisions shall not elect coverage under benefit program L-9 or benefit program LT-10
134 (65).

135 5. Should an employer change its election of benefit program as provided in this
136 section, the employer contributions shall be correspondingly changed effective the same date
137 as the benefit program change.

138 6. The limitation on increases in an employer's contribution provided by subsection 6
139 of section 70.730 shall not apply to any contribution increase resulting from an employer
140 electing a benefit program which provides larger allowances.

141 7. Subject to the provisions of subsections **8 and 9** ~~and 10~~ of this section, for an
142 allowance becoming effective on September 28, 1975, or later, and beginning with the
143 October first which is at least twelve full months after the effective date of the allowance, the
144 amount of the allowance shall be redetermined effective each October first and such
145 redetermined amount shall be payable for the ensuing year. Subject to the limitations stated
146 in the next sentence, such redetermined amount shall be the amount of the allowance
147 otherwise payable multiplied by the following percent: one hundred percent, plus two percent
148 for each full year (excluding any fraction of a year) in the period from the effective date of the
149 allowance to the current October first. In no event shall such redetermined amount (1) be less
150 than the amount of the allowance otherwise payable nor (2) be more than the amount of the
151 allowance otherwise payable multiplied by the following fraction: the numerator shall be the
152 Consumer Price Index for the month of June immediately preceding such October first (but in
153 no event an amount less than the denominator below) and the denominator shall be the
154 Consumer Price Index for the month of June immediately preceding the effective date of the
155 allowance. As used herein, "Consumer Price Index" means **a measure of** the Consumer Price
156 Index ~~[for Urban Wage Earners and Clerical Workers,]~~ as determined by the United States
157 Department of Labor and **adopted by the board of trustees** ~~[in effect January 1, 1975;~~
158 ~~provided, should such Consumer Price Index be restructured subsequent to 1974 in a manner~~
159 ~~materially changing its character, the board shall change the application of the Consumer~~
160 ~~Price Index so that as far as is practicable the 1975 intent of the use of the Consumer Price~~
161 ~~Index shall be continued]~~. As used herein "the amount of the allowance otherwise payable"
162 means the amount of the allowance which would be payable without regard to these
163 provisions redetermining allowance amounts after retirement.

164 8. ~~[Subject to the provisions of subsections 9 and 10 of this section, for an allowance~~
165 ~~becoming effective on September 28, 1975, or later, the maximum allowance payable under~~
166 ~~the provisions of section 70.685 shall be redetermined each October first in the same manner~~
167 ~~as an allowance is redetermined under the provisions of subsection 7 of this section.~~

168 9.] (1) The system establishes reserves for the payment of future allowances to
169 retirants and beneficiaries. Should the board determine, after consulting with the actuary, that
170 the established reserves are more than sufficient to provide such allowances, the board may
171 increase the annual increase rate provided for in ~~[subsections]~~ **subsection 7** ~~[and 8]~~ of this
172 section, as it applies to any allowance payable, but in no event shall the total of all
173 redetermined amounts as of October first of any year be greater than one hundred four percent
174 of the allowances which would have been payable that October first without such

175 redeterminations; provided, as of any redetermination date the same annual increase rate shall
176 be applied to all allowances with effective dates in the range of November first to October
177 first of the following year. The board may extend the provisions of ~~[subsections]~~ **subsection**
178 **7** ~~[and 8]~~ of this section to allowances which became effective before September 28, 1975;
179 provided such an action by the board shall not increase an employer contribution rate then in
180 effect;

181 (2) After August 28, 1993, the annual increase rate established by this subsection
182 shall be a compound rate, compounded annually, and the four percent annual maximum rate
183 shall also be a compound rate, compounded annually; provided, the use of such compounding
184 shall not begin until October 1, 1993, and shall not affect redeterminations made prior to that
185 date.

186 ~~[10.]~~ **9.** Should the board determine that the provisions of subsections 7~~[,8]~~ and **[9] 8**
187 of this section are jeopardizing the financial solvency of the system, the board shall suspend
188 these provisions redetermining allowance amounts after retirement for such periods of time as
189 the board deems appropriate.

70.680. 1. Any member in service with five or more years of credited service who
2 has not attained the age and service requirements of section 70.645 and who becomes totally
3 and permanently physically or mentally incapacitated for his duty as an employee, as the
4 result of a personal injury or disease, may be retired by the board upon written application
5 filed with the board by or on behalf of the member; provided, that after a medical examination
6 of such member made by or under the direction of a medical committee consisting of three
7 physicians, one of whom shall be selected by the board, one by or on behalf of such member,
8 and the third by the first two physicians so named, the medical committee reports to the
9 board, by majority opinion in writing, that such member is physically or mentally totally
10 incapacitated for the further performance of duty, that such incapacity will probably be
11 permanent and that such member should be retired.

12 2. Upon disability retirement, as provided in subsection 1 of this section, a member
13 shall receive an allowance for life provided for in section 70.655 and shall have the right to
14 elect an option provided for in section 70.660. His or her disability retirement and allowance
15 shall be subject to the provisions of subsection 5 of this section ~~[and to the provisions of~~
16 ~~section 70.685]~~.

17 3. Any member in service who becomes totally and permanently physically or
18 mentally incapacitated for his duty as an employee, as the natural and proximate result of a
19 personal injury or disease which the board finds to have arisen out of and in the course of his
20 actual performance of duty as an employee, may be retired by the board upon written
21 application filed with the board by or on behalf of the member; provided, that after a medical
22 examination of such member made by or under the direction of a medical committee

23 consisting of three physicians, one of whom shall be selected by the board, one by or on
24 behalf of such member, and the third by the first two physicians so named, the medical
25 committee reports to the board, by majority opinion in writing, that such member is
26 physically or mentally totally incapacitated for the further performance of duty, that such
27 incapacity will probably be permanent, and that such member should be retired.

28 4. Upon disability retirement as provided in subsection 3 of this section, a member
29 shall receive an allowance for life provided for in section 70.655; provided, that for the sole
30 purpose of computing the amount of such allowance, he or she shall be given credited service
31 for the period from the date of his or her disability retirement to the date he or she would
32 attain age sixty. He or she shall have the right to elect an option provided for in section
33 70.660. His or her disability retirement and allowance shall be subject to the provisions of
34 subsection 5 of this section [~~and to the provisions of section 70.685~~].

35 5. At least once each year during the first five years following a member's retirement
36 on account of disability, and at least once in each three-year period thereafter, the board shall
37 require any disability retirant who has not attained his minimum service retirement age to
38 undergo a medical examination to be made by a physician designated by the board. If the
39 retirant refuses to submit to medical examination in any such period, his disability allowance
40 shall be suspended by the board until his withdrawal of such refusal. If such refusal continues
41 for one year, all his rights in and to a disability allowance shall be revoked by the board. If,
42 upon medical examination of the retirant, the physician reports to the board that the retirant is
43 physically and mentally able and capable of resuming his duty as an employee in the position
44 held by him at the time of his disability retirement, then the board shall, if demanded by the
45 retirant, arrange a further medical examination of such member made by or under the
46 direction of a medical committee consisting of three physicians, one of whom shall be
47 selected by the board, one by or on behalf of the member, and the third by the first two
48 physicians named. Should the medical committee concur, by majority opinion in writing to
49 the board, the disability retirant is capable of resumption of duty, his disability retirement
50 shall terminate and he shall be returned to duty and he shall immediately again become a
51 member of the system, his credited service at the time of disability retirement shall be
52 restored to his credit, and the amount of his accumulated contributions at the time of his
53 disability retirement shall be restored to his credit in the members deposit fund. If he was in
54 receipt of a duty disability allowance provided for in subsection 3 of this section, he shall also
55 be given service credit for the period he was in receipt of the duty disability allowance.

70.690. 1. In the event a member ceases to be a member other than by death before
2 the date he becomes entitled to retire with an allowance payable by the system, he shall be
3 paid, upon his written application filed with the board, his accumulated contributions standing
4 to his credit in the members deposit fund.

5 2. In the event a member dies, and no allowance becomes or will become payable by
6 the system on account of his death, his accumulated contributions standing to his credit in the
7 members deposit fund at the time of his death shall be paid to such person or persons as he
8 shall have nominated by written designation duly executed and filed with the board. If there
9 be no such designated person or persons surviving such member, such accumulated
10 contributions shall be paid to his surviving spouse, or to his estate if there is no surviving
11 spouse.

12 3. In the event a member's membership in the system terminates, and no allowance
13 becomes or will become payable on his account, any accumulated contributions standing to
14 his credit in the members deposit fund unclaimed by such member or his legal representative
15 within ~~three~~ **ten** years after the date his membership terminated, shall be transferred to the
16 income-expense fund. If thereafter proper application is made for such accumulated
17 contributions, the board shall pay them from the income-expense fund, but without interest
18 after the date payment was first due.

 70.745. **1.** The board shall be the trustees of the funds of the system. Subject to the
2 provisions of any applicable federal or state laws, the board shall have full power to invest
3 and reinvest the moneys of the system, and to hold, purchase, sell, assign, transfer or dispose
4 of any of the securities and investments in which such moneys shall have been invested, as
5 well as the proceeds of such investments and such moneys.

6 **2. The board of trustees may deliberate about, or make tentative or final**
7 **decisions on, investments or other financial matters in a closed meeting under chapter**
8 **610 if disclosure of the deliberations or decisions would jeopardize the ability to**
9 **implement a decision or to achieve investment objectives. A record of the retirement**
10 **system that discloses deliberations about, or a tentative decision on, investments or**
11 **other financial matters is not a public record under chapter 610 to the extent and so long**
12 **as its disclosure would jeopardize the ability to implement a decision or to achieve**
13 **investment objectives.**

 70.746. Notwithstanding any other provision of law to the contrary, the board of
2 trustees may delegate to its duly appointed investment counselor authority to act in place of
3 the board in the investment and reinvestment of all or part of the moneys of the system, and
4 may also delegate to such counselor the authority to act in place of the board in the holding,
5 purchasing, selling, assigning, transferring, or disposing of any or all of the securities and
6 investments in which such moneys shall have been invested, as well as the proceeds of such
7 investments and such moneys. ~~[Such investment counselor shall be registered as an~~
8 ~~investment advisor with the United States Securities and Exchange Commission.]~~ In
9 exercising or delegating its investment powers and authority, members of the board shall
10 exercise ordinary business care and prudence under the facts and circumstances prevailing at

11 the time of the action or decision. In so doing, the board shall consider the long- and short-
12 term needs of the system in carrying out its purposes, the system's present and anticipated
13 financial requirements, the expected total return on the system's investment, general
14 economic conditions, income, growth, long-term net appreciation, and probable safety of
15 funds. No member of the board shall be liable for any action taken or omitted with respect to
16 the exercise of or delegation of these powers and authority if such member shall have
17 discharged the duties of his or her position in good faith and with that degree of diligence,
18 care, and skill which prudent men and women would ordinarily exercise under similar
19 circumstances in a like position.

70.747. Notwithstanding any other provision of law to the contrary, the board shall
2 have full power to invest and reinvest the funds and moneys of the system in improved real
3 estate, including collective real estate funds and real estate investment trusts, wherever
4 situated~~]; provided, however, that not more than one-tenth of the funds and moneys of the~~
5 ~~system at the time of such investment shall be so invested].~~

70.748. 1. Notwithstanding the provisions of section 105.662 to the contrary, the
2 **board may set up and maintain a local government employee retirement systems of**
3 **Missouri investment fund account in which investment and reinvestment of all or part**
4 **of the moneys of the retirement system may be placed and be available for investment**
5 **purposes.**

6 **2. For the purpose of investing the funds of the retirement system, the funds may**
7 **be combined with the funds of any retirement plan that is administered by the**
8 **retirement system under section 70.621 and any retirement plan established for the**
9 **purpose of providing benefits for employees of the system, but the funds of each plan**
10 **shall be accounted for separately and for all other reporting purposes shall be separate.**

11 **3. The board of trustees may promulgate such rules and regulations consistent**
12 **with the provisions of this section as deemed necessary for its proper administration,**
13 **pursuant to the provisions of this section and this chapter. Any rule or portion of a rule,**
14 **as that term is defined in section 536.010, that is created under the authority delegated**
15 **in this section shall become effective only if it complies with and is subject to all of the**
16 **provisions of chapter 536 and, if applicable, section 536.028. This section and chapter**
17 **536 are nonseverable and if any of the powers vested with the general assembly**
18 **pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul**
19 **a rule are subsequently held unconstitutional, then the grant of rulemaking authority**
20 **and any rule proposed or adopted after August 28, 2025, shall be invalid and void.**

84.540. 1. Upon recommendation of the chief of police, the board may authorize and
2 provide for the organization of a police reserve force composed of residents of the city who
3 qualify under the provisions of subsection 1 of section 84.570, **however, in the interest of**

4 **efficiency and public safety, no person shall serve as a member of such police reserve**
5 **force following the last day of the month in which the person becomes sixty-five years of**
6 **age.** Such reserve force shall be under the command of the chief of police and shall be
7 provided training, equipment, uniforms, and arms as the chief shall direct with the approval of
8 the board; and when assigned to active duty the members of the reserve force shall possess all
9 of the powers of regular police officers and shall be subject to all laws and regulations
10 applicable to police officers; provided, however, that the city council or other governing body
11 of any such city may in its discretion fix a total in number which the reserve force may not
12 exceed.

13 2. In event of riot or other emergencies as declared and defined by the mayor, the city
14 council or other governing body in such city in concurrence with the board, the board, upon
15 recommendation of the chief, may appoint special officers or patrolmen for temporary service
16 in addition to the police reserve force herein provided for, but the length of time for which
17 such officers or patrolmen shall be employed shall be limited to the time during which such
18 emergency shall exist.

84.570. 1. No person shall be appointed policeman or officer of police who shall
2 have been convicted of any offense, the punishment of which may be confinement in the state
3 penitentiary; nor shall any person be appointed who is not proven to be of good character, or
4 who is not proven to be a bona fide citizen of the United States, or who cannot read and write
5 the English language and who does not possess ordinary physical strength and courage, nor
6 shall any person be originally appointed to said police force who is less than twenty-one years
7 of age. Notwithstanding any other provision of law, the board shall have the sole authority to
8 determine conditions of employment for police officers pursuant to section 84.460.

9 2. **In the interest of efficiency and public safety, law enforcement officers, as such**
10 **term is defined in 29 U.S.C. Section 630 or any successor statute, shall be separated from**
11 **service on the last day of the month in which the employee becomes sixty-five years of**
12 **age or reaches thirty-five years of creditable service, as such term is defined in section**
13 **86.900, whichever occurs later.**

14 3. The board shall from time to time require open competitive examinations or tests
15 for determining the qualifications and fitness of all applicants for appointment to positions on
16 the police force. Such examinations and tests shall be practical and shall relate to matters
17 which fairly measure the relative fitness of the candidates to discharge the duties of the
18 positions to which they seek to be appointed. Notice of such examinations and tests shall be
19 given not less than ten days in advance thereof by public advertisement in at least one
20 newspaper of general circulation in such city, and by posting notice in the police headquarters
21 building. A list of those qualifying in such examinations shall be established, listing those

22 qualified in order of rank. When an appointment is to be made, the appointment shall be
23 made from such eligible list.

24 ~~[3.]~~ 4. The board shall also establish rules for:

25 (1) Temporary employment for not exceeding sixty days in the absence of any
26 eligible list;

27 (2) Hours of work of police employees and officers subject to the provisions of
28 section 84.510; and

29 (3) Attendance regulations and leaves of absence.

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

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

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

8 (3) "Average final compensation":

9 (a) With respect to a member who earns no creditable service on or after October 1,
10 2001, the average earnable compensation of the member during the member's last three years
11 of creditable service as a police officer, or if the member has had less than three years of
12 creditable service, the average earnable compensation of the member's entire period of
13 creditable service;

14 (b) With respect to a member who is not participating in the DROP pursuant to
15 section 86.251 on October 1, 2001, who did not participate in the DROP at any time before
16 such date, and who earns any creditable service on or after October 1, 2001, the average
17 earnable compensation of the member during the member's last two years of creditable
18 service as a policeman, or if the member has had less than two years of creditable service,
19 then the average earnable compensation of the member's entire period of creditable service;

20 (c) With respect to a member who is participating in the DROP pursuant to section
21 86.251 on October 1, 2001, or whose participation in DROP ended before such date, who
22 returns to active participation in the system pursuant to section 86.251, and who terminates
23 employment as a police officer for reasons other than death or disability before earning at
24 least two years of creditable service after such return, the portion of the member's benefit
25 attributable to creditable service earned before DROP entry shall be determined using average
26 final compensation as defined in paragraph (a) of this subdivision; and the portion of the
27 member's benefit attributable to creditable service earned after return to active participation in
28 the system shall be determined using average final compensation as defined in paragraph (b)
29 of this subdivision;

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

37 (e) With respect to a member who is participating in the DROP pursuant to section
38 86.251 on October 1, 2001, or whose participation in DROP ended before such date, who
39 returns to active participation in the system pursuant to section 86.251, and whose
40 employment as a police officer terminates due to death or disability after such return, the
41 member's benefit attributable to all of such member's creditable service shall be determined
42 using the member's average final compensation as defined in paragraph (b) of this
43 subdivision; and

44 (f) With respect to the surviving spouse or surviving dependent child of a member
45 who earns any creditable service on or after October 1, 2001, the average earnable
46 compensation of the member during the member's last two years of creditable service as a
47 police officer or, if the member has had less than two years of creditable service, the average
48 earnable compensation of the member's entire period of creditable service;

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

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

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

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

55 (8) "Earnable compensation", the annual salary ~~[established under section 84.160~~
56 ~~which]~~ a member would earn during one year on the basis of the member's rank or position,
57 plus any additional compensation for academic work and shift differential, that ~~[may be~~
58 ~~provided]~~ **is set** by any **state or municipal body or** official ~~[or board]~~ now or hereafter
59 authorized by law to employ and manage a permanent police force in such cities. Such
60 amount shall include the member's deferrals to a deferred compensation plan pursuant to
61 Section 457 of the Internal Revenue Code or to a cafeteria plan pursuant to Section 125 of the
62 Internal Revenue Code or, effective October 1, 2001, to a transportation fringe benefit
63 program pursuant to Section 132(f)(4) of the Internal Revenue Code. **The term "earnable**
64 **compensation" shall not include a member's additional compensation for overtime, standby**
65 **time, court time, nonuniform time or unused vacation time. Further, the term "earnable**
66 **compensation" shall not include any funds received by a member through a judgment**

67 **or settlement of a legal action or claim made or threatened by the member against any**
68 **city not within a county if the funds are intended to retroactively compensate the**
69 **member for the salary differential between the member's actual rank and the rank the**
70 **member claims he or she should have received.** Notwithstanding the foregoing, the
71 earnable compensation taken into account under the plan established pursuant to sections
72 86.200 to 86.366 with respect to a member who is a noneligible participant, as defined in this
73 subdivision, for any plan year beginning on or after October 1, 1996, shall not exceed the
74 amount of compensation that may be taken into account under Section 401(a)(17) of the
75 Internal Revenue Code, as adjusted for increases in the cost of living, for such plan year. For
76 purposes of this subdivision, a "noneligible participant" is an individual who first becomes a
77 member on or after the first day of the first plan year beginning after the earlier of:

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

79 (b) December 31, 1995;

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

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

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

90 (12) "Member", a member of the retirement system as defined by sections 86.200 to
91 86.366;

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

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

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

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

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

106 (18) "Reserve officer", any member of the police reserve force of such cities, armed
107 or unarmed, who works less than full time, without compensation, and who, by his or her
108 assigned function or as implied by his or her uniform, performs duties associated with those
109 of a police officer and who currently receives a service retirement as provided by sections
110 86.200 to 86.366;

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

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

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

87.140. 1. The general administration and the responsibility for the proper operation
2 of the retirement system shall be vested in a board of trustees of nine persons. The board shall
3 be constituted as follows:

4 (1) The chief of the fire department of the city, ex officio;

5 (2) The comptroller or deputy comptroller of the city, ex officio;

6 (3) Two members to be appointed by the mayor of the city to serve for a term of two
7 years;

8 (4) Three members to be elected by the members of the retirement system for a term
9 of three years who shall be members of the system and hold office only while members of the
10 system;

11 (5) Two members who shall be retired firemen to be elected by the retired firemen of
12 the city and who shall hold office for a term of three years.

13 2. If a vacancy occurs in the office of trustee, the vacancy shall be filled for the
14 unexpired term in the same manner as the office was previously filled.

15 3. The trustees shall serve without compensation, but they shall be reimbursed from
16 the expense fund for all necessary expenses which they may incur through service on the
17 board.

18 4. Each trustee shall, within ten days after his appointment or election, take an oath of
19 office before the clerk of circuit court of the city, that, so far as it devolves upon him, he will
20 diligently and honestly administer the affairs of the board and that he will not knowingly
21 violate or willingly permit to be violated any of the provisions of the law applicable to the

22 retirement system. The oath shall be subscribed to by the member making it and certified by
23 the clerk of circuit court and filed in his office.

24 5. Each trustee shall be entitled to one vote on the board. Five votes shall be
25 necessary for a decision by the trustees at any meeting of the board.

26 **6. Notwithstanding any provision of sections 87.120 to 87.371 to the contrary, the**
27 **board of trustees of the retirement system shall not be prevented from simultaneously**
28 **acting as the trustees of any other pension plan that provides retirement, disability, and**
29 **death benefits for firefighters employed by any city not within a county and the**
30 **firefighters' covered dependents. The administration of the other pension plan shall be**
31 **in accordance with the terms of such pension plan. Nothing in this subsection shall**
32 **prevent the board of aldermen of a city not within a county from adopting ordinances to**
33 **govern the pensioning of firefighters and such firefighters' covered dependents in any**
34 **other pension plan simultaneously administered by the board of trustees of the**
35 **retirement system.**

87.145. The board of trustees shall have exclusive original jurisdiction in all matters
2 relating to or affecting the funds herein provided for, including, in addition to all other
3 matters, all claims for benefits and refunds under this law, and its action, decision or
4 determination in any matter shall be reviewable under chapter 536 only, and any party to the
5 proceedings shall have a right of appeal from the decision of the reviewing court. Subject to
6 the limitations of sections 87.120 to 87.370, the board of trustees shall, from time to time,
7 establish rules and regulations for the administration of funds created by this law, for the
8 transaction of its business, and for the limitation of the time within which claims may be filed.
9 **The administration of any pension plan other than the retirement system includes the**
10 **ability of the board of trustees, from time to time, to establish rules and regulations for**
11 **the administration of funds of such other pension plan and for the transaction of such**
12 **other pension plan's business. Nothing in this section shall prevent the board of**
13 **aldermen of a city not within a county from adopting ordinances to govern the**
14 **pensioning of firefighters and such firefighters' covered dependents in any other pension**
15 **plan simultaneously administered by the board of trustees of the retirement system.**

87.155. 1. The board of trustees shall keep in convenient form such data as is
2 necessary for actuarial valuation of the funds of the retirement system and for checking the
3 experience of the system.

4 2. The board of trustees shall keep a record of all its proceedings which shall be open
5 to public inspection. It shall publish annually a report showing the fiscal transactions of the
6 retirement system for the preceding fiscal year, the amount of the accumulated cash and
7 securities of the system, and the last balance sheet showing the financial condition of the

8 system by means of an actuarial valuation of the assets and liabilities of the retirement
9 system.

10 **3. To the extent the board of trustees administers a pension plan other than the**
11 **retirement system, the board of trustees shall maintain separate records of all**
12 **proceedings of such other pension plan.**

87.260. The board of trustees of the firefighters' retirement system shall have the
2 exclusive authority and discretion to invest and reinvest the funds in property of any kind, real
3 or personal. The board of trustees shall invest and manage the fund as a prudent investor
4 would, by considering the purposes, terms, distribution requirements, and other circumstances
5 of the firefighters' retirement system. In satisfying this standard, the board of trustees shall
6 exercise reasonable care, skill, and caution. No trustee shall have any interest as a trustee in
7 the gains or profits made on any investment, except benefits from interest in investments
8 common to all members of the plan, if entitled thereto. **To the extent the board of trustees**
9 **administers a pension plan other than the retirement system, the board of trustees shall**
10 **also have the authority and discretion to invest and reinvest the funds of such other**
11 **pension plan in property of any kind, real or personal. The board of trustees may**
12 **choose to invest the funds of the retirement system and the funds of the other pension**
13 **plan in the same investments so long as the amounts invested and the gains, profits, or**
14 **losses on such investments are accounted for separately. No benefits due to the**
15 **firefighters or such firefighters' covered dependents from the other pension plan shall**
16 **be paid from the funds of the retirement system. Nothing in this section shall prevent**
17 **the board of aldermen of a city not within a county from adopting ordinances to govern**
18 **the pensioning of firefighters and such firefighters' covered dependents in any other**
19 **pension plan simultaneously administered by the board of trustees of the retirement**
20 **system.**

87.350. The expense fund shall be the fund to which shall be credited all money
2 provided to pay the administration expenses of the retirement system and from which shall be
3 paid all the expenses necessary in connection with the administration and operation of the
4 system. Annually the board of trustees shall estimate the amount of money necessary to be
5 paid into the expense fund during the ensuing year to provide for the expense of operation of
6 the retirement system. Such estimate shall be provided by the board of trustees from interest
7 and other earnings on assets of the retirement system. **In no event shall any expenses,**
8 **including administrative expenses, incurred by the board of trustees in the**
9 **administration of any pension plan other than the retirement system or in the**
10 **investment of any funds of any pension plan other than the retirement system be paid**
11 **from the funds of the retirement system. Such expenses shall be paid entirely from the**
12 **funds of the other pension plan.**

105.688. The assets of a system may be invested, reinvested and managed by an investment fiduciary subject to the terms, conditions and limitations provided in sections 105.687 to 105.689. An investment fiduciary shall discharge his or her duties in the interest of the participants in the system and their beneficiaries and shall:

(1) Act with the same care, skill, prudence, and diligence under the circumstances then prevailing that a prudent person acting in a similar capacity and familiar with those matters would use in the conduct of a similar enterprise with similar aims;

(2) Act with due regard for the management, reputation, and stability of the issuer and the character of the particular investments being considered;

(3) Make investments for the purposes of providing benefits to participants and participants' beneficiaries, and of defraying reasonable expenses of investing the assets of the system;

(4) Give appropriate consideration to those facts and circumstances that the investment fiduciary knows or should know are relevant to the particular investment or investment course of action involved, including the role of the investment or investment course of action plays in that portion of the system's investments for which the investment fiduciary has responsibility. For purposes of this subdivision, "appropriate consideration" shall include, but is not necessarily limited to a determination by the investment fiduciary that a particular investment or investment course of action is reasonably designed, as part of the investments of the system, to further the purposes of the system, taking into consideration the risk of loss and the opportunity for gain or other return associated with the investment or investment course of action; and consideration of the following factors as they relate to the investment or investment course of action:

(a) The diversification of the investments of the system;

(b) The liquidity and current return of the investments of the system relative to the anticipated cash flow requirements of the system; and

(c) The projected return of the investments of the system relative to the funding objectives of the system;

(5) Give appropriate consideration to investments which would enhance the general welfare of this state and its citizens if those investments offer the safety and rate of return comparable to other investments available to the investment fiduciary at the time the investment decision is made;

(6) Not be prohibited from closing records to the extent that such records relate to information submitted by an individual, corporation, or other business entity in connection with investments in or financial transactions with business entities for investment purposes;

37 (7) Not consider environmental, social, or governance characteristics in a
38 manner that would override his or her fiduciary duties as defined in this section;

39 (8) Not be subject to any legislative, regulatory, or other mandates to invest with
40 environmentally, socially, or other noneconomically motivated influence unless they are
41 consistent with the fiduciary's responsibility as provided in this section or as provided in
42 the system's governing statutes with respect to the investment of system assets or other
43 duties imposed by law relating to the investment, management, deposit, or custody of
44 system assets; and

45 (9) Not be subject to any legislative, regulatory, or other mandates for
46 divestment from any indirect holdings in actively or passively managed investment
47 funds or in private assets.

105.692. 1. All shares of common stock held directly by a system, as defined
2 under section 105.687, shall be voted solely in the economic interest of plan participants.
3 Voting shares for the purposes of furthering noneconomic environmental, social,
4 political, ideological, or other goals is prohibited.

5 2. A system shall vote all proxies associated with its directly held shares of
6 common stock by one of the following methods:

7 (1) By internal system staff; or

8 (2) By an investment manager or proxy voting service provider who has
9 committed in writing to vote the shares pursuant to proxy voting guidelines chosen by
10 the system or has committed in writing to vote the shares in a manner consistent with
11 the obligation to act solely in the economic interest of plan participants.

105.693. 1. As used in this section, the following terms mean:

2 (1) "Board", the governing board or decision-making body of a system that is
3 authorized by law to administer the system;

4 (2) "Control":

5 (a) The same meaning as such term is defined in the Investment Company Act of
6 1940, 15 U.S.C. Section 80a-2(a); or

7 (b) Involvement in an entity's governance structure, monitoring, or internal
8 human resources decisions consistent with the objectives set out in the Opinion on
9 Strengthening the United Front Work of the Private Economy in the New Era issued by
10 the General Office of the Central Committee of the Chinese Communist Party (2020) or
11 a successor or similar document;

12 (3) "Divest", a sale, redemption, replacement, or any other activity that
13 terminates an investment;

14 (4) "Fund", the retirement benefit fund of a system;

15 **(5) "Investment", any investment, as such term is defined in section 105.687,**
16 **that the board or system is authorized to make;**

17 **(6) "Person", an individual or entity;**

18 **(7) "Restricted entity", the following, including wholly-owned subsidiaries,**
19 **majority-owned subsidiaries, parent companies, and affiliates that exist for profit-**
20 **making purposes:**

21 **(a) Any person, other than a U.S. person, as the term "U.S. person" is defined in**
22 **15 CFR 772.1, that is identified for the People's Republic of China on the Entity List,**
23 **Supplement No. 4 to 15 CFR Part 744, as a person reasonably believed to be involved, or**
24 **to pose a significant risk of being or becoming involved, in activities contrary to the**
25 **national security or foreign policy interests of the United States until the End-User**
26 **Review Committee of the Bureau of Industry and Security in the United States**
27 **Department of Commerce determines that the person no longer meets that criteria and**
28 **removes the person from the list;**

29 **(b) Any person that:**

30 **a. The United States Secretary of Defense has listed as a Communist Chinese**
31 **military company operating directly or indirectly in the United States or in any of its**
32 **territories or possessions under Section 1237 of the Strom Thurmond National Defense**
33 **Authorization Act of Fiscal Year 1999, P.L. 105-261, as amended by Section 1233 of P.L.**
34 **106-398 and Section 1222 of P.L. 108-375, 50 U.S.C. Section 1701 note, until such time as**
35 **the United States Secretary of Defense removes the person from such list;**

36 **b. The United States Secretary of Defense, in consultation with the United States**
37 **Secretary of the Treasury, determines is a Communist Chinese military company**
38 **operating directly or indirectly in the United States or in any of its territories or**
39 **possessions and therefore lists as such under Section 1237 of the Strom Thurmond**
40 **National Defense Authorization Act of Fiscal Year 1999, P.L. 105-261, as amended by**
41 **Section 1233 of P.L. 106-398 and Section 1222 of P.L. 108-375, 50 U.S.C. Section 1701**
42 **note, until such time as the United States Secretary of Defense removes the person from**
43 **such list; or**

44 **c. The United States Secretary of the Treasury publicly lists as meeting the**
45 **criteria in Section 1237(b)(4)(B) of the Strom Thurmond National Defense**
46 **Authorization Act of Fiscal Year 1999, P.L. 105-261, as amended by Section 1222 of**
47 **P.L. 108-375, 50 U.S.C. Section 1701 note, or publicly lists as a subsidiary of a person**
48 **already determined to be a Communist Chinese military company, until the United**
49 **States Secretary of the Treasury determines that the person no longer meets that criteria**
50 **and removes the person from such list;**

51 (c) Any organization or citizen that is identified by the appropriate government
52 agencies to be required by the National Intelligence Law of the People's Republic of
53 China (2017), as amended in 2018, or any successor to support, assist, and cooperate
54 with the state intelligence work of the People's Republic of China and keep the secrets of
55 the national intelligence work of the People's Republic of China; or

56 (d) Any person that is listed on the Specially Designated Nationals and Blocked
57 Persons List published by the Office of Foreign Assets Control of United States
58 Department of the Treasury;

59 (8) "Restricted investment product", an investment product that:

60 (a) Is managed by one or more persons:

61 a. That are not employed by the system; and

62 b. In which the system on behalf of the fund owns investments together with
63 investors other than the system; and

64 (b) Holds investments in a restricted entity;

65 (9) "System", any state or local public retirement system or plan established by
66 the state or any political subdivision or instrumentality of the state for the purpose of
67 providing plan benefits for elected or appointed public officials or employees of the state
68 or any political subdivision or instrumentality of the state.

69 2. After August 28, 2025, a system shall not knowingly invest in a restricted
70 entity or a restricted investment product and shall divest any investment that the system
71 has on behalf of a fund in accordance with this section.

72 3. Before December 1, 2025, and at least annually on or before December first of
73 each subsequent year, the board shall make a good faith effort to identify all restricted
74 entities and restricted investment products in which the system holds an investment.
75 The board may use an independent research firm to assist the board.

76 4. (1) If the board determines after a review under subsection 3 of this section
77 that the system has investments in a restricted entity or a restricted investment product,
78 the board shall establish a plan to divest the investment and complete the divestment as
79 soon as financially prudent. Except as provided in subdivision (2) of this subsection, the
80 investment shall be divested no later than August 28, 2026.

81 (2) The investment may be divested after August 28, 2026, but shall be divested
82 no later than August 28, 2028, if the board finds that the following conditions exist:

83 (a) The divestment of the investment by August 28, 2026, would result in the
84 system incurring aggregate transaction costs in excess of five hundred thousand dollars;

85 (b) The selling of global public equity interests would result in a loss on
86 secondary markets; or

87 (c) The divestment of the investment by August 28, 2026, would otherwise fail to
88 comply with federal or state law or other legal obligations.

89 5. Prior to divesting any commingled fund required by this section in which the
90 divestment would result in a realized loss, the staff of the system shall notify the board
91 and if, within two business days, a majority of the trustees of the board object, no
92 further action shall be taken until a special or regular meeting of the board.

93 6. The board shall determine whether to cease or defer divestment in the entity
94 or product initiated under this section and resume investment in the entity or product
95 during any period in which the entity or product has not returned to being a restricted
96 entity or restricted investment product if any of the following conditions are met:

97 (1) The entity or product meets or exceeds the rules and standards of the Public
98 Company Accounting Oversight Board and the Sarbanes-Oxley Act of 2002, P.L. 107-
99 204, 116 Stat. 745; or

100 (2) The board determines that a fund has holdings in a passively managed
101 commingled fund that includes a restricted entity and the estimated cost of divestment
102 of the commingled fund is greater than ten percent of the total value of the restricted
103 entities held in the commingled fund.

104 7. (1) On or before December 31, 2025, and annually on or before December
105 thirty-first of each subsequent year, the board shall submit a report to the general
106 assembly.

107 (2) The report shall include at least the following information, as of the date of
108 the report:

109 (a) A copy of the restricted entity list;

110 (b) All publicly traded securities sold, redeemed, divested, or withdrawn in
111 compliance with this section;

112 (c) All commingled funds that are exempted from divestment under subsection 5
113 or 6 of this section; and

114 (d) Any progress made under subsection 6 of this section.

115 8. With respect to actions taken in compliance with this section, including all
116 good faith determinations regarding restricted entities and restricted investment
117 products, the board and the system are exempt from any conflicting statutory or
118 common law obligations, including any obligations with respect to choice of asset
119 managers, investment fiduciaries, investment funds, or investments for fund investment
120 portfolios.

121 9. The state and any political subdivision of the state; its officers, agents, and
122 employees; and the board and employees of a system shall be immune from civil liability
123 for any act or omission related to the removal of an asset from a fund under this section

124 **and are entitled to indemnification from the system for all losses, costs, and expenses,**
125 **including reasonable attorney's fees, associated with defending against any claim or suit**
126 **relating to an act authorized under this section.**

127 **10. (1) Notwithstanding any provision of law to the contrary, the provisions of**
128 **this section do not apply to investments in private market funds.**

129 **(2) Notwithstanding any provision of law to the contrary, the provisions of this**
130 **section do not apply to indirect holdings in actively managed investment funds.**

131 **(3) If a manager or investment fiduciary creates a similar actively managed**
132 **investment fund without the restricted entities, the board shall replace all applicable**
133 **investments with the investments in the similar actively managed investment fund**
134 **within a period consistent with prudent investing standards.**

169.450. 1. The general administration and responsibility for the proper operation of
2 the retirement system and for making effective the provisions of sections 169.410 to 169.540
3 are hereby vested in a board of trustees of ~~eleven~~ **thirteen** persons, as follows:

4 (1) Four trustees to be appointed for terms of four years by the board of education;
5 provided, however, that their terms shall be fixed so the terms of one of the trustees so
6 appointed shall expire each year. The members of such board of trustees appointed by the
7 board of education may be members of the board of education or other individuals deemed
8 qualified to hold such positions by the board of education;

9 (2) Four trustees to be elected for terms of four years by and from the active members
10 of the retirement system who shall hold office as trustees only while active members;
11 provided, however, that their terms shall be fixed so that the terms of one of the trustees so
12 elected shall expire each year; and provided further, that not more than two of such persons
13 shall be teachers and two shall be nonteachers. For the purposes of this subsection, a school
14 administrator shall not be eligible for the positions established pursuant to this subdivision
15 and shall be eligible for the position established pursuant to subdivision (4) of this subsection;

16 (3) Two trustees, who shall be retired members, to be elected for terms of four years
17 by and from the retired members of the retirement system; provided, however, that the terms
18 of office of the first two trustees so elected shall begin immediately upon their election and
19 shall expire two and four years from the date of their election, respectively; and provided
20 further, that not more than one of such persons shall be a teacher and one shall be a
21 nonteacher;

22 (4) One member, who shall be a school administrator, to be elected for a term of four
23 years by and from the active members of the retirement system who shall hold office as a
24 trustee only while an active member; except that, the initial term of office of such trustee shall
25 expire on December 31, 1999;

26 **(5) Two trustees to be appointed for terms of four years by the Missouri Public**
27 **Charter School Association; provided, however, that the terms of office of the first two**
28 **trustees so elected shall begin immediately upon their election and shall expire two and**
29 **four years from the date of their election, respectively. The members of such board of**
30 **trustees appointed by the Missouri Public Charter School Association shall have**
31 **experience or qualifications relevant to public charter schools and the retirement**
32 **system, and at least one such member shall be a teacher. The appointment of the**
33 **trustees shall be subject to the same rules and regulations applicable to other trustees,**
34 **including, but not limited to, taking an oath of office as provided in subsection 5 of this**
35 **section.**

36 2. If a vacancy occurs in the office of trustee, the vacancy shall be filled for the
37 unexpired term in the same manner as the office was previously filled. No vacancy or
38 vacancies on the board of trustees shall impair the power of the remaining trustees to
39 administer the retirement system pending the filling of such vacancies.

40 3. In the event of a lapse of a school district's corporate organization as described in
41 subsections 1 and 4 of section 162.081, or for any other reason, the general administration and
42 the responsibility for the proper operation of the retirement system shall continue to be fully
43 vested in the trustees then currently serving and such trustees shall continue to serve and be
44 elected in the same manner as set forth in this statute as if no lapse had occurred, except that
45 in the event of vacancies occurring in the office of trustees appointed by the board of
46 education prior to the lapse, the board of trustees shall appoint a qualified person or persons to
47 fill such vacancy or vacancies for terms of up to four years.

48 4. Trustees shall serve without compensation, and any trustee shall be reimbursed
49 from the expense fund for all necessary expenses which the trustee may incur through service
50 on the board of trustees.

51 5. Each trustee shall, within ten days after such trustee's appointment or election, take
52 an oath of office before the clerk of the circuit court of the judicial circuit in which the school
53 district is located that, so far as it devolves upon the trustee, the trustee will diligently and
54 honestly administer the affairs of the board of trustees and that the trustee will not knowingly
55 violate or willingly permit to be violated any of the provisions of the law applicable to the
56 retirement system. Such oath shall be subscribed to by the trustee making it and filed in the
57 office of the clerk of the circuit court.

58 6. The circuit court of the judicial circuit in which the school district is located shall
59 have jurisdiction over the members of the board of trustees to require them to account for
60 their official conduct in the management and disposition of the funds and property committed
61 to their charge; to order, decree and compel payment by them to the public school retirement
62 system of their school district of all sums of money, and of the value of all property which

63 may have been improperly retained by them, or transferred to others, or which may have been
64 lost or wasted by any violation of their duties or abuse of their powers as such members of
65 such board; to remove any such member upon proof that the trustee has abused the trustee's
66 trust or has violated the duties of the trustee's office; to restrain and prevent any alienation or
67 disposition of property of such public school retirement system by the members, in cases
68 where it may be threatened, or there is good reason to apprehend that it is intended to be made
69 in fraud of the rights and interests of such public school retirement system. The jurisdiction
70 conferred by sections 169.410 to 169.540 shall be exercised as in ordinary cases upon
71 petition, filed by the board of education of such school district, or by any two members of the
72 board of trustees. Such petition shall be heard in a summary manner after ten days' notice in
73 writing to the member complained of, and an appeal shall lie from the judgment of the circuit
74 court as in other causes and be speedily determined, but such appeal shall not operate under
75 any condition as a supersedeas of a judgment of removal from office.

76 7. Each trustee shall be entitled to one vote in the board of trustees. Six votes shall be
77 necessary for a decision by the trustees at any meeting of the board of trustees.

78 8. Subject to the limitations of sections 169.410 to 169.540, the board of trustees
79 shall, from time to time, establish rules and regulations for the administration of the
80 retirement system, for eligibility for and determination of benefits under the retirement
81 system, for the investment of retirement system assets, and for the transaction of the
82 retirement system's business.

83 9. The board of trustees shall elect from its membership a chairman and shall, by
84 majority vote of its members, appoint a secretary, who may be, but need not be, one of its
85 members. It shall engage such actuarial and other services as shall be required to transact the
86 business of the retirement system. It shall also engage an investment counselor who shall be
87 experienced in the investment of moneys to advise the trustees on investments of the
88 retirement system. The compensation of all persons engaged by the board of trustees and all
89 other expenses of the board necessary for the operation of the retirement system shall be paid
90 at such rates and in such amounts as the board of trustees shall approve.

91 10. The board of trustees shall keep in convenient form such data as shall be
92 necessary for actuarial valuations of the assets of the retirement system and for checking the
93 experience of the system.

94 11. The board of trustees shall keep a record of all its proceedings which shall be
95 open to public inspection. It shall prepare annually and send to the board of education and to
96 each member of the retirement system a report showing the fiscal transactions of the
97 retirement system for the preceding fiscal year, a detailed listing of all salaries and
98 expenditures incurred by the trustees for its operation, the amount of the accumulated cash
99 and securities of the system, and the last balance sheet showing the financial condition of the

100 system by means of an actuarial valuation of the assets and liabilities of the retirement
101 system. The board of trustees shall also prepare or cause to be prepared an annual report
102 concerning the operation of the retirement system herein provided for, which report shall be
103 sent by the chairman of the board of trustees to the board of education.

104 12. The board of trustees shall arrange for necessary legal advice for the operation of
105 the retirement system.

106 13. The board of trustees shall designate a medical board to be composed of three
107 physicians, none of whom shall be eligible for benefits pursuant to sections 169.410 to
108 169.540, who shall arrange for and pass upon all medical examinations required pursuant to
109 the provisions of sections 169.410 to 169.540, shall investigate all essential statements and
110 certificates made by or on behalf of a member in connection with an application for disability
111 retirement and shall report in writing to the board of trustees its conclusions and
112 recommendations upon all matters referred to it.

113 14. The actuary shall be the technical adviser of the board of trustees on matters
114 regarding the operation of the system created by sections 169.410 to 169.540 and shall
115 perform such other duties as are required in connection therewith. Such person shall be
116 qualified as an actuary by membership as a fellow in the Society of Actuaries or by objective
117 standards which are no less stringent than those established by the Society of Actuaries.

118 15. At least once in each five-year period the actuary shall make an investigation into
119 the actuarial experience of the retirement system, and taking into account the results of such
120 investigation of the experience, the board of trustees shall adopt for the retirement system
121 such actuarial assumptions as shall be deemed necessary.

122 16. On the basis of such actuarial assumptions as the board of trustees shall adopt, the
123 actuary shall make an annual valuation of the assets and liabilities of the funds of the
124 retirement system.

125 17. On the basis of the valuation the board of trustees shall certify the rates of
126 contribution payable by the board of education.

169.490. 1. All the assets of the retirement system shall be held as one fund.

2 2. (1) For any member hired before January 1, 2018, the employing board shall cause
3 to be deducted from the compensation of each member at every payroll period five percent of
4 his or her compensation.

5 (2) Beginning January 1, 2018, the percentage in subdivision (1) of this subsection
6 shall increase one-half of one percent annually until such time as the percentage equals nine
7 percent.

8 (3) For any member hired for the first time on or after January 1, 2018, the employing
9 board shall cause to be deducted from the compensation of each member at every payroll
10 period nine percent of such member's compensation.

11 (4) The amounts so deducted shall be transferred to the board of trustees and credited
12 to the individual account of each member from whose compensation the deduction was made.
13 In determining the amount earnable by a member in any payroll period, the board of trustees
14 may consider the rate of earnable compensation payable to such member on the first day of
15 the payroll period as continuing throughout such payroll period; it may omit deduction from
16 compensation for any period less than a full payroll period if the employee was not a member
17 on the first day of the payroll period; and to facilitate the making of the deductions, it may
18 modify the deduction required of any member by such amount as shall not exceed one-tenth
19 of one percent of the compensation upon the basis of which such deduction was made.

20 (5) The deductions provided for herein are declared to be a part of the salary of the
21 member and the making of such deductions shall constitute payments by the member out of
22 his or her salary or earnings and such deductions shall be made notwithstanding that the
23 minimum compensation provided by law for any member shall be reduced thereby. Every
24 member shall be deemed to consent to the deductions made and provided for herein, and shall
25 receipt for his or her full salary or compensation, and the making of said deductions and the
26 payment of salary or compensation less said deduction shall be a full and complete discharge
27 and acquittance of all claims and demands whatsoever for services rendered during the period
28 covered by the payment except as to benefits provided by sections 169.410 to 169.540.

29 (6) The employing board may elect to pay member contributions required by this
30 section as an employer pick up of employee contributions under Section 414(h)(2) of the
31 Internal Revenue Code of 1986, as amended, and such contributions picked up by the
32 employing board shall be treated as contributions made by members for all purposes of
33 sections 169.410 to 169.540.

34 3. If a retired member receiving a pension pursuant to sections 169.410 to 169.540 is
35 restored to active service and again becomes an active member of the retirement system, there
36 shall be credited to his or her individual account an amount equal to the excess, if any, of his
37 or her accumulated contributions at retirement over the total pension benefits paid to him or
38 her.

39 4. ~~[Annually, the actuary for the retirement system shall calculate each employer's~~
40 ~~contribution as an amount equal to a certain percentage of the total compensation of all~~
41 ~~members employed by that employer. The percentage shall be fixed on the basis of the~~
42 ~~liabilities of the retirement system as shown by the annual actuarial valuation. The annual~~
43 ~~actuarial valuation shall be made on the basis of such actuarial assumptions and the actuarial~~
44 ~~cost method adopted by the board of trustees, provided that the actuarial cost method adopted~~
45 ~~shall be in accordance with generally accepted actuarial standards and that the unfunded~~
46 ~~actuarial accrued liability, if any, shall be amortized by level annual payments over a period~~

47 ~~not to exceed thirty years. The provisions of this subsection shall expire on December 31,~~
48 ~~2017; thereafter subsection 5 of this section shall apply.~~

49 ~~5.]~~ For calendar year 2018, the rate of contribution payable by each employer shall
50 equal sixteen percent of the total compensation of all members employed by that employer.
51 For each calendar year thereafter, the percentage rate of contribution payable by each
52 employer of the total compensation of all members employed by that employer shall decrease
53 one-half of one percent annually until calendar year ~~[2032]~~ **2025** when the rate of contribution
54 payable by each employer shall equal ~~[nine]~~ **twelve and one-half** percent of the total
55 compensation of all members employed by that employer. For ~~[subsequent]~~ calendar ~~[years]~~
56 **year 2026 and each calendar year** after ~~[2032]~~ **2026**, the rate of contribution payable by
57 each employer shall equal ~~[nine]~~ **fourteen** percent of the total compensation of all members
58 employed by that employer.

59 ~~[6.]~~ **5.** The expense and contingency reserve shall be a reserve for investment
60 contingencies and estimated expenses of administration of the retirement system as
61 determined annually by the board of trustees.

62 ~~[7.]~~ **6.** Gifts, devises, bequests and legacies may be accepted by the board of trustees
63 to be held and invested as a part of the assets of the retirement system and shall not be
64 separately accounted for except where specific direction for the use of a gift is made by a
65 donor.

488.435. 1. Sheriffs shall receive a charge, as provided in section 57.280, for service
2 of any summons, writ or other order of court, in connection with any civil case, and making
3 on the same either a return indicating service, a non est return or a nulla bona return, the sum
4 of twenty dollars for each item to be served, as provided in section 57.280, except that a
5 sheriff shall receive a charge for service of any subpoena, and making a return on the same,
6 the sum of ten dollars, as provided in section 57.280; however, no such charge shall be
7 collected in any proceeding when court costs are to be paid by the state, county or
8 municipality. In addition to such charge, the sheriff shall be entitled, as provided in section
9 57.280, to receive for each mile actually traveled in serving any summons, writ, subpoena or
10 other order of court, the rate prescribed by the Internal Revenue Service for all allowable
11 expenses for motor vehicle use expressed as an amount per mile, provided that such mileage
12 shall not be charged for more than one subpoena or summons or other writ served in the same
13 cause on the same trip. All of such charges shall be received by the sheriff who is requested
14 to perform the service. Except as otherwise provided by law, all charges made pursuant to
15 section 57.280 shall be collected by the court clerk as court costs and are payable prior to the
16 time the service is rendered; provided that if the amount of such charge cannot be readily
17 determined, then the sheriff shall receive a deposit based upon the likely amount of such
18 charge, and the balance of such charge shall be payable immediately upon ascertainment of

19 the proper amount of such charge. A sheriff may refuse to perform any service in any action
20 or proceeding, other than when court costs are waived as provided by law, until the charge
21 provided by this section is paid. Failure to receive the charge shall not affect the validity of
22 the service.

23 2. The sheriff shall, as provided in section 57.280, receive for receiving and paying
24 moneys on execution or other process, where lands or goods have been levied and advertised
25 and sold, five percent on five hundred dollars and four percent on all sums above five hundred
26 dollars, and half of these sums, when the money is paid to the sheriff without a levy, or where
27 the lands or goods levied on shall not be sold and the money is paid to the sheriff or person
28 entitled thereto, his or her agent or attorney. The party at whose application any writ,
29 execution, subpoena or other process has issued from the court shall pay the sheriff's costs, as
30 provided in section 57.280, for the removal, transportation, storage, safekeeping and support
31 of any property to be seized pursuant to legal process before such seizure. The sheriff shall be
32 allowed for each mile, as provided in section 57.280, going and returning from the courthouse
33 of the county in which he or she resides to the place where the court is held, the rate
34 prescribed by the Internal Revenue Service for all allowable expenses for motor vehicle use
35 expressed as an amount per mile. The provisions of this subsection shall not apply to
36 garnishment proceeds.

37 3. As provided in subsection 4 of section 57.280, ~~[the sheriff shall receive ten dollars]~~
38 for service of any summons, writ, subpoena, or other order of the court included under
39 subsection 1 of section 57.280, in addition to the charge for such service that each sheriff
40 receives under subsection 1 of section 57.280, **the sheriff of any county of the first, second,**
41 **or fourth classification or with a charter form of government shall receive twenty**
42 **dollars and the sheriff of any county of the third classification shall receive fifteen**
43 **dollars.** The money received by the sheriff under subsection 4 of section 57.280 shall be paid
44 into the county treasury and the county treasurer shall make such money payable to the state
45 treasurer. **As provided in subdivision (2) or (3) of subsection 4 of section 57.280,** the state
46 treasurer shall deposit such moneys in the deputy sheriff salary supplementation fund created
47 under section 57.278 **or the sheriffs' retirement fund created under section 57.952.**

48 4. As provided in subsection 5 of section 57.280, the court clerk shall collect ten
49 dollars as a court cost for service of any summons, writ, subpoena, or other order of the court
50 included under subsection 1 of this section if any person other than a sheriff is specially
51 appointed to serve in a county that receives funds under section 57.278. The moneys received
52 by the clerk under this subsection shall be paid into the county treasury and the county
53 treasurer shall make such moneys payable to the state treasurer. The state treasurer shall
54 deposit such moneys in the deputy sheriff salary supplementation fund created under section
55 57.278.

2 ~~[57.955. 1. There shall be assessed and collected a surcharge of three~~
3 ~~dollars in all civil actions filed in the courts of this state and in all criminal~~
4 ~~cases including violation of any county ordinance or any violation of criminal~~
5 ~~or traffic laws of this state, including infractions, but no such surcharge shall~~
6 ~~be assessed when the costs are waived or are to be paid by the state, county or~~
7 ~~municipality or when a criminal proceeding or the defendant has been~~
8 ~~dismissed by the court. For purposes of this section, the term "county~~
9 ~~ordinance" shall not include any ordinance of the city of St. Louis. The clerk~~
10 ~~responsible for collecting court costs in civil and criminal cases, shall collect~~
11 ~~and disburse such amounts as provided by sections 488.010 to 488.020. Such~~
12 ~~funds shall be payable to the sheriffs' retirement fund. Moneys credited to the~~
13 ~~sheriffs' retirement fund shall be used only for the purposes provided for in~~
14 ~~sections 57.949 to 57.997 and for no other purpose.~~

15 ~~2. The board may accept gifts, donations, grants and bequests from~~
~~public or private sources to the sheriffs' retirement fund.]~~

2 ~~[57.962. Other provisions of law to the contrary notwithstanding, any~~
3 ~~county or city not within a county who has elected or elects in the future to~~
4 ~~come under the provisions of sections 57.949 to 57.997 shall, after August 28,~~
5 ~~2002, or on the date that such election is approved by the board of directors of~~
6 ~~the retirement system, whichever later occurs, be subject to the provisions of~~
~~section 57.955.]~~

2 ~~[483.088. Each circuit clerk shall prepare a summary of all amounts~~
3 ~~collected pursuant to section 57.955 during the preceding calendar year and~~
4 ~~shall annually, by July first of the succeeding year, send a copy of such~~
~~summary to the state auditor.]~~

2 ~~[488.024. As provided by section 57.955, there shall be assessed and~~
3 ~~collected a surcharge of three dollars in all civil actions filed in the courts of~~
4 ~~this state and in all criminal cases including violation of any county ordinance~~
5 ~~or any violation of criminal or traffic laws of this state, including infractions,~~
6 ~~but no such surcharge shall be assessed when the costs are waived or are to be~~
7 ~~paid by the state, county or municipality or when a criminal proceeding or the~~
8 ~~defendant has been dismissed by the court. For purposes of this section, the~~
9 ~~term "county ordinance" shall not include any ordinance of the City of St.~~
10 ~~Louis. The clerk responsible for collecting court costs in civil and criminal~~
11 ~~cases shall collect and disburse such amounts as provided by sections 488.010~~
~~to 488.020. Such funds shall be payable to the sheriffs' retirement fund.]~~

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