

SECOND REGULAR SESSION

# SENATE BILL NO. 902

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR HUMMEL.

Read 1st time January 10, 2018, and ordered printed.

ADRIANE D. CROUSE, Secretary.

5597S.011

## AN ACT

To repeal section 87.135, RSMo, and to enact in lieu thereof one new section relating to firefighter retirement systems for certain cities.

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

Section A. Section 87.135, RSMo, is repealed and one new section enacted  
2 in lieu thereof, to be known as section 87.135, to read as follows:

87.135. 1. Under such rules and regulations as the board of trustees shall  
2 adopt, each member who was a firefighter on and prior to the date of the  
3 establishment of the retirement system shall file a detailed statement of all  
4 service as a firefighter rendered by him or her prior to that date for which the  
5 firefighter claims credit.

6 2. The board of trustees shall fix and determine by proper rules and  
7 regulations how much service in any year is equivalent to one year of service, but  
8 in no case shall more than one year of service be creditable for all service in one  
9 calendar year, nor shall the board of trustees allow credit as service for any  
10 period of more than one month's duration during which the member was absent  
11 without pay.

12 3. Subject to the above restrictions and to such other rules and  
13 regulations as the board of trustees may adopt, the board of trustees shall verify  
14 the service claims as soon as practicable after the filing of the statement of  
15 service.

16 4. Upon verification of the statements of service the board of trustees  
17 shall issue prior service certificates, certifying to each member the length of prior  
18 service with which the member is credited on the basis of his or her statement of  
19 service. So long as the holder of the certificate continues to be a member, a prior  
20 service certificate shall be final and conclusive for retirement purposes as to such

21 service, except that any member may, within one year from the date of issuance  
22 or modification of the certificate, request the board of trustees to modify or correct  
23 the member's prior service certificate, and upon such request or of its own motion  
24 the board may correct the certificate. When any firefighter ceases to be a member  
25 his or her prior service certificate shall become void. Should he or she again  
26 become a member, he or she shall enter the retirement system as a member not  
27 entitled to prior service credit except as provided in section 87.215.

28         5. Creditable service at retirement on which the retirement allowance of  
29 a member shall be based shall consist of creditable membership service rendered  
30 by him or her, and also if the member has a prior service certificate which is in  
31 full force and effect, the amount of the service certified on the member's prior  
32 service certificate. Service rendered by a firefighter after the operative date and  
33 prior to becoming a member shall be included as creditable membership service  
34 provided the service was rendered since he or she last became a firefighter.

35         **6. The retirement system, with the approval of the board of**  
36 **trustees, may enter into cooperative agreements to transfer creditable**  
37 **service between the retirement system and any other retirement plan**  
38 **established by the state of Missouri or any political subdivision or**  
39 **instrumentality of the state when a member who has been employed in**  
40 **a position covered by one plan is employed in a position covered by**  
41 **another plan. The transfer of creditable service shall be in accordance**  
42 **with the provisions of section 105.691 and the policies and procedures**  
43 **established by the board of trustees. Notwithstanding anything in**  
44 **sections 87.120 to 87.371 to the contrary, if the retirement system has**  
45 **entered into a cooperative agreement with another plan in accordance**  
46 **with the provisions of section 105.691, service and creditable service**  
47 **shall include for all purposes, creditable service transferred from**  
48 **another retirement plan to this retirement system or purchased by a**  
49 **member in accordance with the provisions of section 105.691.**

✓