



AN ACT IMPROVING THE ACTUARIAL UNFUNDED LIABILITY OF THE PUBLIC EMPLOYEES', SHERIFFS', AND FIREFIGHTERS' UNIFIED RETIREMENT SYSTEMS BY REQUIRING EMPLOYER AND STATE CONTRIBUTIONS FOR WORKING RETIREES IN THOSE SYSTEMS; AMENDING SECTIONS 19-7-1101 AND 19-13-1101, MCA; AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Contributions required for retirees who return to work. (1) Beginning July 1, 2013, each employer shall contribute the amount specified in 19-3-316 and the state shall contribute the amount specified in 19-3-319 for retired members who return to work in a covered position but who, under the provisions of 19-3-1106(4), have not become active members.

(2) Retired members who return to active service under the provisions of 19-3-1106 are subject to the employee, employer, and state contributions set forth in 19-3-315, 19-3-316, and 19-3-319.

Section 2. Section 19-7-1101, MCA, is amended to read:

"19-7-1101. Reemployment of retired member -- contributions required. (1) A retired member who returns to service for 480 hours or more in a calendar year must become an active member of the system. Upon reinstatement as an active member, benefit payments must cease until subsequent retirement.

(2) A retired member who returns to service for less than 480 hours in a calendar year may not become an active member. The retirement benefit of a retired member employed in service must be reduced by \$1 for each \$3 earned in excess of \$5,000 in a calendar year.

(3) Retired members who return to active service pursuant to subsection (1) are subject to the employee and employer contributions set forth in 19-7-403 and 19-7-404.

(4) The employer of a retired member who is returning to work pursuant to subsection (2) shall contribute the amounts specified in 19-7-404."

Section 3. Section 19-13-1101, MCA, is amended to read:

"19-13-1101. Reemployment of retired member. (1) A retired member who is receiving a service retirement benefit or early retirement benefit may return to employment covered by the retirement system for a period not to exceed 480 hours in any calendar year without returning to active service and without any effect to the retiree's retirement benefit.

(2) If a retired member returns to work in a covered position for more than 480 hours in a calendar year, the member returns to active service and the member's retirement benefits must cease until the member again terminates employment and retires.

(3) For each retired member who returns to work pursuant to subsection (1), the employer shall contribute the amount specified in 19-13-605 and the state shall contribute the amount specified in 19-13-604.

(4) The earned compensation of retired members who return to active service pursuant to subsection (2) is subject to the employee, state, and employer contributions set forth in 19-13-601, 19-13-604, and 19-13-605."

Section 4. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 19, chapter 3, part 11, and the provisions of Title 19, chapter 3, part 11, apply to [section 1].

Section 5. Effective date. [This act] is effective July 1, 2013.

- END -

I hereby certify that the within bill,
HB 0095, originated in the House.

Chief Clerk of the House

Speaker of the House

Signed this _____ day
of _____, 2013.

President of the Senate

Signed this _____ day
of _____, 2013.

HOUSE BILL NO. 95

INTRODUCED BY F. WILMER

BY REQUEST OF THE PUBLIC EMPLOYEES' RETIREMENT BOARD

AN ACT IMPROVING THE ACTUARIAL UNFUNDED LIABILITY OF THE PUBLIC EMPLOYEES', SHERIFFS', AND FIREFIGHTERS' UNIFIED RETIREMENT SYSTEMS BY REQUIRING EMPLOYER AND STATE CONTRIBUTIONS FOR WORKING RETIREES IN THOSE SYSTEMS; AMENDING SECTIONS 19-7-1101 AND 19-13-1101, MCA; AND PROVIDING AN EFFECTIVE DATE.