

SECOND REGULAR SESSION

HOUSE BILL NO. 1148

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE STEVENSON.

Read 1st time January 15, 2004, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

3610L.011

AN ACT

To repeal section 56.823, RSMo, and to enact in lieu thereof one new section relating to retirement benefits for prosecuting attorneys.

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

Section A. Section 56.823, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 56.823, to read as follows:

56.823. [1.] Any prosecuting attorney or circuit attorney who becomes a member of the system [on the effective date of the establishment of the system] shall be given full credit for [prior] service as prosecuting attorney or circuit attorney in this state and seventy-five percent credit for [prior] service as an assistant prosecuting or assistant circuit attorney in this state for such time as the individual expended sixty percent of the individual's time or more fulfilling prosecutorial duties.

[2. Notwithstanding any other provision of law, any prosecuting attorney or circuit attorney who is serving as such on August 28, 1993, who also served as a prosecuting attorney or circuit attorney prior to the establishment of the system shall be allowed creditable prior service for the service that was performed prior to the establishment of the system.

3. Notwithstanding any other provision of law, any prosecuting attorney or circuit attorney who was not a member of the system on the effective date of the establishment of the system but who is serving as such on August 28, 1996, and who also served as an assistant prosecuting attorney or as an assistant circuit attorney prior to the establishment of the system and who expended at least sixty percent of the time as an assistant prosecuting attorney or as an assistant circuit attorney fulfilling prosecutorial duties shall be allowed creditable prior service

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law. Matter in boldface type in the above law is proposed language.

17 for seventy-five percent of such service as an assistant prosecuting attorney or as an assistant
18 circuit attorney that was performed prior to the establishment of the system.

19 4. All such prior service shall be established to the satisfaction of the board.]