

FIRST REGULAR SESSION

# HOUSE BILL NO. 371

## 93RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES SMITH (118) (Sponsor), SATER, WALTON, ERVIN, MOORE, THRELKELD, PARSON, PEARCE, CUNNINGHAM (86), ZWEIFEL, HUNTER, BRUNS, WHORTON, MYERS, BROWN (30), SANDER, ICET, DENISON, RUPP, YAEGER, FRANZ, OXFORD, HOBBS, QUINN AND MUNZLINGER (Co-sponsors).

Read 1<sup>st</sup> time January 27, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

0531L.01H

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### AN ACT

To repeal section 287.845, RSMo, and to enact in lieu thereof two new sections relating to the administrative law judges and legal advisors retirement system.

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

Section A. Section 287.845, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 287.813 and 287.845, to read as follows:

**287.813. Any administrative law judge or legal advisor who is employed on or after January 1, 2006, and who has not previously been covered by the administrative law judge's and legal advisor's retirement system under sections 287.812 to 287.856, shall not be eligible to participate in that system. Such administrative law judge or legal advisor shall participate in the state employees' retirement system under chapter 104, RSMo, if otherwise eligible under the applicable provisions of law contained in that chapter.**

287.845. 1. The board shall administer the provisions of sections 287.812 to 287.855 and shall have the same powers, duties, and obligations in regard to the funds and the system provided for in such sections as it has in regard to the Missouri state employees' retirement system. The system shall calculate the annuity for an administrative law judge or legal advisor, as defined in section 287.812 based on the law in effect at the time the administrative law judge's or legal [advisory's] **advisor's** employment was terminated.

2. The commissioner of administration, the state treasurer, and the secretary of the

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.

8 Missouri state employees' retirement system shall perform the same duties in regard to the  
9 retirement system established pursuant to the provisions of sections 287.812 to 287.855 that are  
10 prescribed for such officers in sections 104.436 and 104.438, RSMo, in regard to the Missouri  
11 state employees' retirement system. Funds so certified and transferred for the retirement system  
12 established pursuant to the provisions of sections 287.812 to 287.855 shall be deposited in a  
13 separate account of the Missouri state employees' retirement fund and shall be disbursed only for  
14 the purposes of sections 287.812 to 287.855.

15 **3. Effective January 1, 2006, the liabilities and assets of the administrative law**  
16 **judge's and legal advisor's retirement system shall be transferred and combined with the**  
17 **state employees' retirement system. The contribution rate certified by the board pursuant**  
18 **to section 104.1066, RSMo, for the state employees' retirement system after January 1,**  
19 **2006, shall include amounts necessary to cover the costs of the administrative law judge's**  
20 **and legal advisor's retirement system. No alteration, amendment, or repeal of the**  
21 **administrative law judge's and legal advisor's retirement system shall affect the then**  
22 **existing rights of members, or their spouses, beneficiaries or former spouses, but shall be**  
23 **effective only as to rights which would otherwise accrue hereunder as a result of services**  
24 **rendered by a member after such alteration, amendment, or repeal.**