

FIRST REGULAR SESSION

# HOUSE BILL NO. 950

## 94TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE SCHLOTTACH.

Read 1st time February 22, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

2347L.01I

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### AN ACT

To repeal section 104.805, RSMo, and to enact in lieu thereof one new section relating to the Missouri department of transportation and highway employees' retirement system.

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

Section A. Section 104.805, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 104.805, to read as follows:

104.805. 1. Employees who are earning creditable service in the closed plan of the Missouri state employees' retirement system and who are, as a result of the provisions of this section and sections 226.008, 389.005, 389.610, and 621.040, RSMo, transferred to the department of transportation will not become members of the closed plan of the [highways and transportation employees' and highway patrol] **Missouri department of transportation and highway patrol employees'** retirement system unless they elect to transfer membership and creditable service to the closed plan of the [highways and transportation employees' and highway patrol] **Missouri department of transportation and highway patrol employees'** retirement system. The election must be in writing and must be made within [ninety] **sixty** days of [July 11, 2002] **August 28, 2007**. Any election to transfer membership and creditable service to the [highways and transportation employees' and highway patrol] **Missouri department of transportation and highway patrol employees'** retirement system shall result in the forfeiture of any rights or benefits in the Missouri state employees' retirement system. Any failure to elect to transfer membership and creditable service pursuant to this subsection will result in the employees remaining in the closed plan of the Missouri state employees' retirement system. If

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.

16 an election is made, the effective date for commencement of membership and transfer of such  
17 creditable service shall be January 1, [2003] **2008**.

18 2. Employees who are earning credited service in the year 2000 plan of the Missouri state  
19 employees' retirement system and who are, as a result of the provisions of this section and  
20 sections 226.008, 389.005, 389.610, and 621.040, RSMo, transferred to the department of  
21 transportation will remain in the year 2000 plan administered by the Missouri state employees'  
22 retirement system unless they elect to transfer membership and credited service to the year 2000  
23 plan administered by the [highways and transportation employees' and highway patrol] **Missouri**  
24 **department of transportation and highway patrol employees'** retirement system. The  
25 election must be in writing and must be made within [ninety] **sixty** days of [July 11, 2002]  
26 **August 28, 2007**. Any election to transfer membership and credited service to the year 2000  
27 plan administered by the [highways and transportation employees' and highway patrol] **Missouri**  
28 **department of transportation and highway patrol employees'** retirement system shall result  
29 in the forfeiture of any rights or benefits in the Missouri state employees' retirement system. Any  
30 failure to elect to transfer membership and credited service pursuant to this subsection will result  
31 in the employees remaining in the year 2000 plan administered by the Missouri state employees'  
32 retirement system. If an election is made, the effective date for commencement of membership  
33 and transfer of such creditable service shall be January 1, [2003] **2008**.

34 3. For any employee who elects under subsection 1 or 2 of this section to transfer to the  
35 [highways and transportation employees' and highway patrol] **Missouri department of**  
36 **transportation and highway patrol employees'** retirement system, the Missouri state  
37 employees' retirement system shall pay to the [highways and transportation employees' and  
38 highway patrol] **Missouri department of transportation and highway patrol employees'**  
39 retirement system, by December 31, [2002] **2007**, an amount actuarially determined to equal the  
40 liability transferred from the Missouri state employees' retirement system.

41 4. In no event shall any employee receive service credit for the same period of service  
42 under more than one retirement system as a result of the provisions of this section.

43 5. For any transferred employee who elects under subsection 1 or 2 of this section to  
44 transfer to the [highways and transportation employee's and highway patrol] **Missouri**  
45 **department of transportation and highway patrol employees'** retirement system, the only  
46 medical coverage available for the employee shall be the medical coverage provided in section  
47 104.270. The effective date for commencement of medical coverage shall be January 1, [2003]  
48 **2008**. However, this does not preclude medical coverage for the transferred employee as a  
49 dependent under any other health care plan.

50           **6. Those employees transferred to the department of transportation prior to**  
51 **January 1, 2003, under the provisions of this section and sections 226.008, 389.005, 389.610,**  
52 **and 621.040, RSMo, shall not be eligible for the election provisions under this section.**

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