

SECOND REGULAR SESSION

# HOUSE BILL NO. 1545

## 94TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES BRUNS (Sponsor) AND SKAGGS (Co-sponsor).

Pre-filed January 7, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

3831L.01I

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### AN ACT

To repeal section 104.1045, RSMo, and to enact in lieu thereof two new sections relating to public retirement systems.

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

Section A. Section 104.1045, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 104.613 and 104.1045, to read as follows:

**104.613. Effective August 28, 2008, the cost-of-living adjustment (COLA) for special consultants eligible under the provisions of section 104.612, shall be one hundred percent of the consumer price index for all adjustments on or after September 1, 2008, but not more than five percent of the annuity amount payable immediately before the payment of the COLA.**

104.1045. 1. Each person receiving an annuity shall be entitled to a cost-of-living adjustment (COLA) when there are increases in the consumer price index. The COLA shall be made annually beginning twelve months after the annuity starting date and shall be equal to eighty percent of the increase in the consumer price index, but not more than five percent of the annuity amount payable immediately before the payment of the COLA provided that COLAs payable to a beneficiary shall commence during the month of the anniversary of the member's annuity starting date.

2. For the purposes of this section, an increase in the consumer price index shall be determined in January of each year, based upon the percentage increase of (a) the consumer price index for the preceding calendar year determined by dividing the sum of the monthly consumer

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.

11 price index values by twelve, over (b) the corresponding index for the next earlier calendar  
12 year. Any COLA so determined cannot be less than zero and shall be applied in calculating any  
13 COLA that becomes payable under this section during the calendar year in which January falls.  
14 Any surviving spouse, beneficiary, or former spouse receiving all or part of an annuity shall be  
15 eligible for such COLAs as provided herein.

16 **3. Effective August 28, 2008, the COLA shall be one hundred percent of the**  
17 **increase in the consumer price index for all adjustments on or after September 1, 2008, but**  
18 **not more than five percent of the annuity amount payable immediately before the payment**  
19 **of the COLA.**

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