

SECOND REGULAR SESSION

# HOUSE BILL NO. 2520

## 94TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE FALLERT.

Read 1st time March 31, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

5592L.01I

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### AN ACT

To repeal section 169.712, RSMo, and to enact in lieu thereof one new section relating to the public education employee retirement system.

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

Section A. Section 169.712, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 169.712, to read as follows:

169.712. 1. Notwithstanding any provision of law to the contrary, any person duly certificated under the law governing the certification of teachers in Missouri who, after August 28, 1997, is first employed in a position which would otherwise qualify the person for membership in the public education employee retirement system pursuant to the provisions of sections 169.600 to 169.710 shall be a member of the public school retirement system pursuant to the provisions of sections 169.010 to 169.141, and shall receive creditable service on a pro rata basis in that system for subsequent certificated services which would otherwise have been creditable in the public education employee retirement system. Any such person shall have the option of being a member of the public education employee retirement system. The option election must be filed with the board of trustees of the public school retirement system within ninety days of first such employment following August 28, 1997.

2. Notwithstanding any provision of law to the contrary, any person duly certificated under the law governing the certification of teachers in Missouri who, on or after August 28, 2003, is employed by a public school, as defined in section 169.010, for at least seventeen but less than twenty hours per week on a regular basis [shall] **may** be a member of the public school

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 retirement system pursuant to the provisions of sections 169.010 to 169.141, and [shall] may  
17 receive creditable service on a pro rata basis in that system. **Beginning August 28, 2008, any**  
18 **such person shall have the option of being a member of the public school retirement**  
19 **system. The option election shall be filed with the board of trustees of the public school**  
20 **retirement system within ninety days upon which employment begins or within ninety days**  
21 **of August 28, 2008, whichever later occurs.** Any such person shall have the option of being  
22 a member of the public education employee retirement system. The option election must be filed  
23 with the board of trustees of the public school retirement system within ninety days of first such  
24 employment or within ninety days of August 28, 2003, whichever later occurs.

25         3. Any person who is a member of the public school retirement system or the public  
26 education employee retirement system pursuant to subsection 2 of this section may purchase  
27 credit in such system for service after August 28, 1991, that would have qualified such person  
28 for membership in either retirement system pursuant to subsection 2 of this section had such  
29 subsection been in effect prior to August 28, 2003; provided that such purchase of credit in the  
30 public school retirement system shall be subject to the provisions of section 169.056 and such  
31 purchase of credit in the public education employee retirement system shall be subject to the  
32 provisions of section 169.655.

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