

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By \_\_\_\_\_

1 AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 62, Page 2, Section  
2 52.290, Line 27, by inserting after all of said line the following:

3 "104.1091. 1. Notwithstanding any provision of the year 2000 plan to the contrary, each  
4 person who first becomes an employee on or after January 1, 2011, shall be a member of the year  
5 2000 plan subject to the provisions of this section.

6 2. A member's normal retirement eligibility shall be as follows:

7 (1) The member's attainment of at least age sixty-seven and the completion of at least ten  
8 years of credited service; or the member's attainment of at least age fifty-five with the sum of the  
9 member's age and credited service equaling at least ninety; or, in the case of a member who is  
10 serving as a uniformed member of the highway patrol and subject to the mandatory retirement  
11 provisions of section 104.081, such member's attainment of at least age sixty or the attainment of at  
12 least age fifty-five with ten years of credited service;

13 (2) For members of the general assembly, the member's attainment of at least age sixty-two  
14 and the completion of at least three full biennial assemblies; or the member's attainment of at least  
15 age fifty-five with the sum of the member's age and credited service equaling at least ninety;

16 (3) For statewide elected officials, the official's attainment of at least age sixty-two and the  
17 completion of at least four years of credited service; or the official's attainment of at least age fifty-  
18 five with the sum of the official's age and credited service equaling at least ninety.

19 3. A vested former member's normal retirement eligibility shall be based on the attainment  
20 of at least age sixty-seven and the completion of at least ten years of credited service.

21 4. A temporary annuity paid pursuant to subsection 4 of section 104.1024 shall be payable if  
22 the member has attained at least age fifty-five with the sum of the member's age and credited service  
23 equaling at least ninety; or in the case of a member who is serving as a uniformed member of the  
24 highway patrol and subject to the mandatory retirement provisions of section 104.081, the  
25 temporary annuity shall be payable if the member has attained at least age sixty, or at least age fifty-  
26 five with ten years of credited service.

27 5. A member, other than a member who is serving as a uniformed member of the highway  
28 patrol and subject to the mandatory retirement provisions of section 104.081, shall be eligible for an  
29 early retirement annuity upon the attainment of at least age sixty-two and the completion of at least  
30 ten years of credited service. A vested former member shall not be eligible for early retirement.

31 6. The provisions of subsection 6 of section 104.1021 and section 104.344 as applied  
32 pursuant to subsection 7 of section 104.1021 and section 104.1090 shall not apply to members  
33 covered by this section.

34 7. The minimum credited service requirements of five years contained in sections 104.1018,  
35 104.1030, 104.1036, and 104.1051 shall be ten years for members covered by this section. The  
36 normal and early retirement eligibility requirements in this section shall apply for purposes of

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1 administering section 104.1087.

2 8. A member shall be required to contribute four percent of the member's pay to the  
3 retirement system, which shall stand to the member's credit in his or her individual account with the  
4 system, together with investment credits thereon, for purposes of funding retirement benefits  
5 payable under the year 2000 plan, subject to the following provisions:

6 (1) The state of Missouri employer, pursuant to the provisions of 26 U.S.C. Section  
7 414(h)(2), shall pick up and pay the contributions that would otherwise be payable by the member  
8 under this section. The contributions so picked up shall be treated as employer contributions for  
9 purposes of determining the member's pay that is includable in the member's gross income for  
10 federal income tax purposes;

11 (2) Member contributions picked up by the employer shall be paid from the same source of  
12 funds used for the payment of pay to a member. A deduction shall be made from each member's  
13 pay equal to the amount of the member's contributions picked up by the employer. This deduction,  
14 however, shall not reduce the member's pay for purposes of computing benefits under the retirement  
15 system pursuant to this chapter;

16 (3) Member contributions so picked up shall be credited to a separate account within the  
17 member's individual account so that the amounts contributed pursuant to this section may be  
18 distinguished from the amounts contributed on an after-tax basis;

19 (4) The contributions, although designated as employee contributions, shall be paid by the  
20 employer in lieu of the contributions by the member. The member shall not have the option of  
21 choosing to receive the contributed amounts directly instead of having them paid by the employer to  
22 the retirement system;

23 (5) Interest shall be credited annually on June thirtieth based on the value in the account as  
24 of July first of the immediately preceding year at a rate of four percent. Effective June 30, 2014,  
25 and each June thirtieth thereafter, the interest crediting rate shall be equal to the investment rate that  
26 is published by the United States Department of Treasury, or its successor agency, for fifty-two  
27 week treasury bills for the relevant auction that is nearest to the preceding July first, or a successor  
28 treasury bill investment rate as approved by the board if the fifty-two week treasury bill is no longer  
29 issued. Interest credits shall cease upon termination of employment if the member is not a vested  
30 former member. Otherwise, interest credits shall cease upon retirement or death;

31 (6) A vested former member or a former member who is not vested may request a refund of  
32 his or her contributions and interest credited thereon. If such member is married at the time of such  
33 request, such request shall not be processed without consent from the spouse. Such member is not  
34 eligible to request a refund if such member's retirement benefit is subject to a division of benefit  
35 order pursuant to section 104.1051. Such refund shall be paid by the system after ninety days from  
36 the date of termination of employment or the request, whichever is later, and shall include all  
37 contributions made to any retirement plan administered by the system and interest credited thereon.  
38 A vested former member may not request a refund after such member becomes eligible for normal  
39 retirement. A vested former member or a former member who is not vested who receives a refund  
40 shall forfeit all the member's credited service and future rights to receive benefits from the system  
41 and shall not be eligible to receive any long-term disability benefits; provided that any member or  
42 vested former member receiving long-term disability benefits shall not be eligible for a refund. If  
43 such member subsequently becomes an employee and works continuously for at least one year, the  
44 credited service previously forfeited shall be restored if the member returns to the system the  
45 amount previously refunded plus interest at a rate established by the board;

46 (7) The beneficiary of any member who made contributions shall receive a refund upon the  
47 member's death equal to the amount, if any, of such contributions and interest credited thereon less  
48 any retirement benefits received by the member unless an annuity is payable to a survivor or

1 beneficiary as a result of the member's death. In that event, the beneficiary of the survivor or  
2 beneficiary who received the annuity shall receive a refund upon the survivor's or beneficiary's  
3 death equal to the amount, if any, of the member's contributions less any annuity amounts received  
4 by the member and the survivor or beneficiary.

5 9. The employee contribution rate, the benefits provided under the year 2000 plan to  
6 members covered under this section, and any other provision of the year 2000 plan with regard to  
7 members covered under this section may be altered, amended, increased, decreased, or repealed, but  
8 only with respect to services rendered by the member after the effective date of such alteration,  
9 amendment, increase, decrease, or repeal, or, with respect to interest credits, for periods of time  
10 after the effective date of such alteration, amendment, increase, decrease, or repeal.

11 10. For purposes of members covered by this section, the options under section 104.1027  
12 shall be as follows:

13 Option 1. A retiree's life annuity shall be reduced to a certain percent of the annuity  
14 otherwise payable. Such percent shall be eighty-eight and one half percent adjusted as follows: if  
15 the retiree's age on the annuity starting date is younger than sixty-seven years, an increase of three-  
16 tenths of one percent for each year the retiree's age is younger than age sixty-seven years; and if the  
17 beneficiary's age is younger than the retiree's age on the annuity starting date, a decrease of three-  
18 tenths of one percent for each year of age difference; and if the retiree's age is younger than the  
19 beneficiary's age on the annuity starting date, an increase of three-tenths of one percent for each  
20 year of age difference; provided, after all adjustments the option 1 percent cannot exceed ninety-  
21 four and one quarter percent. Upon the retiree's death, fifty percent of the retiree's reduced annuity  
22 shall be paid to such beneficiary who was the retiree's spouse on the annuity starting date or as  
23 otherwise provided by subsection 5 of this section.

24 Option 2. A retiree's life annuity shall be reduced to a certain percent of the annuity  
25 otherwise payable. Such percent shall be eighty-one percent adjusted as follows: if the retiree's age  
26 on the annuity starting date is younger than sixty-seven years, an increase of four-tenths of one  
27 percent for each year the retiree's age is younger than sixty-seven years; and if the beneficiary's age  
28 is younger than the retiree's age on the annuity starting date, a decrease of five-tenths of one percent  
29 for each year of age difference; and if the retiree's age is younger than the beneficiary's age on the  
30 annuity starting date, an increase of five-tenths of one percent for each year of age difference;  
31 provided, after all adjustments the option 2 percent cannot exceed eighty-seven and three quarter  
32 percent. Upon the retiree's death one hundred percent of the retiree's reduced annuity shall be paid  
33 to such beneficiary who was the retiree's spouse on the annuity starting date or as otherwise  
34 provided by subsection 5 of this section.

35 Option 3. A retiree's life annuity shall be reduced to ninety-three percent of the annuity  
36 otherwise payable. If the retiree dies before having received one hundred twenty monthly  
37 payments, the reduced annuity shall be continued for the remainder of the one hundred twenty-  
38 month period to the retiree's designated beneficiary provided that if there is no beneficiary surviving  
39 the retiree, the present value of the remaining annuity payments shall be paid as provided under  
40 subsection 3 of section 104.620. If the beneficiary survives the retiree but dies before receiving the  
41 remainder of such one hundred twenty monthly payments, the present value of the remaining  
42 annuity payments shall be paid as provided under subsection 3 of section 104.620.

43 Option 4. A retiree's life annuity shall be reduced to eighty-six percent of the annuity  
44 otherwise payable. If the retiree dies before having received one hundred eighty monthly payments,  
45 the reduced annuity shall be continued for the remainder of the one hundred eighty-month period to  
46 the retiree's designated beneficiary provided that if there is no beneficiary surviving the retiree, the  
47 present value of the remaining annuity payments shall be paid as provided under subsection 3 of  
48 section 104.620. If the beneficiary survives the retiree but dies before receiving the remainder of

1 such one hundred eighty monthly payments, the present value of the remaining annuity payments  
2 shall be paid as provided under subsection 3 of section 104.620.

3 11. The provisions of subsection 6 of section 104.1024 shall not apply to members covered  
4 by this section.

5 12. Effective January 1, 2018, a member who is not a statewide elected official or a member  
6 of the general assembly shall be eligible for retirement under this subsection subject to the following  
7 conditions:

8 (1) A member's normal retirement eligibility shall be based on the attainment of at least age  
9 sixty-seven and the completion of at least five years of credited service; or the member's attainment  
10 of at least age fifty-five with the sum of the member's age and credited service equaling at least  
11 ninety; or, in the case of a member who is serving as a uniformed member of the highway patrol and  
12 subject to the mandatory retirement provisions of section 104.081, such member's attainment of at  
13 least age sixty or the attainment of at least age fifty-five with five years of credited service;

14 (2) A vested former member's normal retirement eligibility shall be based on the attainment  
15 of at least age sixty-seven and the completion of at least five years of credited service;

16 (3) A temporary annuity paid under subsection 4 of section 104.1024 shall be payable if the  
17 member has attained at least age fifty-five with the sum of the member's age and credited service  
18 equaling at least ninety; or, in the case of a member who is serving as a uniformed member of the  
19 highway patrol and subject to the mandatory retirement provisions of section 104.081, the  
20 temporary annuity shall be payable if the member has attained at least age sixty, or at least age fifty-  
21 five with five years of credited service;

22 (4) A member, other than a member who is serving as a uniformed member of the highway  
23 patrol and subject to the mandatory retirement provisions of section 104.081, shall be eligible for an  
24 early retirement annuity upon the attainment of at least age sixty-two and the completion of at least  
25 five years of credited service. A vested former member shall not be eligible for early retirement;

26 (5) The normal and early retirement eligibility requirements in this subsection shall apply  
27 for purposes of administering section 104.1087;

28 (6) The survivor annuity payable under section 104.1030 for vested former members  
29 covered by this section shall not be payable until the deceased member would have reached his or  
30 her normal retirement eligibility under this subsection;

31 (7) The annual cost-of-living adjustment payable under section 104.1045 will not  
32 commence until the second anniversary of a vested former member's annuity starting date for  
33 members covered by this subsection;

34 (8) The unused sick leave credit granted under subsection 2 of section 104.1021 will not  
35 apply to members covered by this subsection unless the member terminates employment after  
36 reaching normal retirement eligibility or becoming eligible for an early retirement annuity under  
37 this subsection; and

38 (9) The minimum credited service requirements of five years contained in sections  
39 104.1018, 104.1030, 104.1036, and 104.1051 shall be five years for members covered by this  
40 subsection."; and

41  
42 Further amend said bill by amending the title, enacting clause, and intersectional references  
43 accordingly.