

SCS SB 892 -- ATTORNEY'S RETIREMENT

SPONSOR: Walsh (Walker)

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Pensions by a vote of 9 to 0. Voted "Do Pass" by the Standing Committee by Rules- Administrative Oversight by a vote of 9 to 1.

This bill changes provisions regarding the retirement system for prosecuting and circuit attorneys.

When a county votes to make the Office of Prosecuting Attorney a full-time position then the position will qualify for the same retirement benefits as a full-time prosecutor of a first class county. Contributions to the Prosecuting Attorneys' and Circuit Attorneys' Retirement Fund (PACARS) will be paid the same as first class counties.

Beginning January 1, 2019, all members who are eligible to receive an annuity equal to 50% of the final average compensation upon retirement will contribute 2% of their salary to the fund, and beginning in the year 2020, such members shall contribute 4% of salary to the fund. Upon retirement and at the discretion of the board of trustees, a member can receive a lump sum of his or her total contribution not to exceed 25% of average pay, in addition to any retirement benefits.

A person who becomes a member on or after January 1, 2019, may retire with a normal annuity with 12 or more years of service and reaching the age of 65. Upon termination of employment such member is entitled to a deferred normal annuity payable at age 60.

Currently, a former member who has forfeited creditable service may have the service restored again, in addition to requirements, by becoming an employee within 10 years of termination and contributing an amount to the retirement fund equal to any lump sum payment of contributions received upon termination of service.

All members serving in a county that has elected to make the position of prosecuting attorney a full-time position shall receive one year of creditable vesting service for each year served as a part-time or full-time prosecuting attorney. However, a member serving as a part-time prosecuting attorney shall receive six-tenths of a year of creditable benefit service for each year served. Any member who has less than 12 years of creditable benefit service upon retirement shall receive a reduced full-time benefit.

A member who vested as a part-time prosecuting attorney and ceased

being a member for more than six months before returning as a full-time prosecuting attorney shall be entitled only to part-time benefits, and any creditable service earned as a full-time prosecutor shall begin a new vesting period. A member cannot receive benefits while employed as a prosecuting attorney.

This bill is similar to SB 892 (2018), SCS SB 209 (2017), HB 2538 and HCS SB 639 (2016).

PROPONENTS: Supporters say that this bill will help get funding for the retirement plan back in line. The retirement age for new members will be increased and modifies the provisions for those part-time prosecuting attorneys that go full-time. Our funding levels have dropped in the last couple of years and we need to make sure we make these changes to keep the system well funded.

Testifying for the bill were Representative Walker and Robert Mcculloch, Prosecuting Attorneys' and Circuit Attorneys' Retirement Fund.

OPPONENTS: There was no opposition voiced to the committee.