

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Bill No. 186, Page 3, Section 56.601, Line 50, by
2 inserting after all of said section and line the following:
3

4 "57.952. 1. There is hereby authorized a "Sheriffs' Retirement Fund" which shall be under
5 the management of a board of directors described in section 57.958. The board of directors shall be
6 responsible for the administration and the investment of the funds of such sheriffs' retirement fund.
7 [Neither] The general assembly [nor] and the governing body of a county [shall] may appropriate
8 funds for deposit in the sheriffs' retirement fund. If insufficient funds are generated to provide the
9 benefits payable pursuant to the provisions of sections 57.949 to 57.997, the board shall proportion
10 the benefits according to the funds available.

11 2. The board may accept gifts, donations, grants, and bequests from public or private
12 sources to the sheriffs' retirement fund.

13 3. Each county shall make the payroll deductions for member contributions mandated under
14 section 57.961, and the county shall transmit such moneys to the board for deposit into the sheriffs'
15 retirement fund.

16 57.961. 1. On and after the effective date of the establishment of the system, as an incident
17 to his or her employment or continued employment, each person employed as an elected or
18 appointed sheriff of a county shall become a member of the system. Such membership shall
19 continue as long as the person continues to be an employee, or receives or is eligible to receive
20 benefits under the provisions of sections 57.949 to 57.997.

21 2. Notwithstanding any other provision of law to the contrary, each person who is a member
22 of the system on or after January 1, 2024, shall be required to contribute five percent of the
23 member's pay to the retirement system. Such contribution shall be made notwithstanding that the
24 minimum salary or wages provided by law for any member shall thereby be changed. Each member
25 shall be deemed to consent and agree to the deduction made and provided for herein. Payment of a
26 member's compensation less such deduction shall be a full and complete discharge and acquittance
27 of all claims and demands whatsoever for services rendered by him or her to a county, except as to
28 benefits provided by this system.

29 3. The officer or officers responsible for making up the payrolls for each county shall cause
30 the contribution provided for in this section to be deducted from the compensation of the member in

Action Taken _____ Date _____

1 the employ of the county, on each and every payroll, for each and every payroll to the date his or her
 2 membership terminates. When deducted, each contribution shall be paid by the county to the
 3 system; the payments shall be made in the manner and shall be accompanied by such supporting
 4 data as the board shall from time to time prescribe. When paid to the system, each of the
 5 contributions shall be credited to the member from whose compensation the contributions were
 6 deducted. The contributions so deducted shall be treated as employee contributions for purposes of
 7 determining the member's pay that is includable in the member's gross income for federal income
 8 tax purposes.

9 4. Member contributions deducted and paid into the system by the county shall be paid from
 10 the same source of funds used for the payment of pay to a member. A deduction shall be made from
 11 each member's pay equal to the amount of the member's contributions picked up by the employer.
 12 This deduction, however, shall not reduce the member's pay for purposes of computing benefits
 13 under the retirement system under this chapter.

14 5. The contributions, although designated as employee contributions, shall be paid by the
 15 county in lieu of the contributions by the member. The member shall not have the option of
 16 choosing to receive the contributed amounts directly instead of having them paid by the county to
 17 the retirement system.

18 6. A former member who is not vested may request a refund of his or her contributions.
 19 Such refund shall be paid by the system after ninety days from the date of termination of
 20 employment or the request, whichever is later, and shall include all contributions made to any
 21 retirement plan administered by the system.

22 [2-] 7. Beginning September 1, 1986, any city not within a county and any county having a
 23 charter form of government may elect, by a majority vote of its governing body, to come under the
 24 provisions of sections 57.949 to 57.997 except for the provisions of section 57.955. Notice in
 25 writing of such election shall be given to the board, and the person employed as sheriff of such
 26 county, as an incident of his contract of employment or continued employment, shall become a
 27 member of the system on the first day of the month immediately following the date the board
 28 receives notice. Such membership shall continue as long as the person continues to be an employee,
 29 or receives or is eligible to receive benefits under the provisions of sections 57.949 to 57.997, and
 30 upon becoming a member he shall receive credit for all prior service as if he had become a member
 31 on December 22, 1983.

32 8. Subject to the limitations under sections 57.949 to 57.997, the board shall have the
 33 authority to formulate and adopt rules and regulations for the administration of these provisions.

34 57.967. 1. The normal annuity of a retired member shall equal two percent of the final
 35 average compensation of the retired member multiplied by the number of years of creditable service
 36 of the retired member, except that the normal annuity shall not exceed seventy-five percent of the
 37 retired member's average final compensation. Such annuity shall be not less than one thousand
 38 dollars per month.

2. The board, at its last meeting of each calendar year, shall determine the monthly amount for medical insurance premiums to be paid to each retired member during the next following calendar year. The monthly amount shall not exceed four hundred fifty dollars. The monthly payments are at the discretion of the board on the advice of the actuary. The anticipated sum of all such payments during the year plus the annual normal cost plus the annual amount to amortize the unfunded actuarial accrued liability in no more than thirty years shall not exceed the anticipated moneys credited to the system pursuant to ~~[section]~~ sections 57.952 and 57.955. The money amount granted here shall not be continued to any survivor.

3. If a member with eight or more years of service dies before becoming eligible for retirement, the member's surviving spouse, if he or she has been married to the member for at least two years prior to the member's death, shall be entitled to survivor benefits under option 1 as set forth in section 57.979 as if the member had retired on the date of the member's death. The member's monthly benefit shall be calculated as the member's accrued benefit at his or her death reduced by one-fourth of one percent per month for an early commencement from the member's normal retirement date: age fifty-five with twelve or more years of creditable service or age sixty-two with eight years of creditable service, to the member's date of death. Such benefit shall be payable on the first day of the month following the member's death and shall be payable during the surviving spouse's lifetime.

57.991. 1. For members of the system prior to December 31, 2023, the benefits provided for by sections 57.949 to 57.997 shall in no way affect any person's eligibility for retirement benefits under the local government employees' retirement system, sections 70.600 to 70.755, or any other local government retirement or pension system, or in any way have the effect of reducing retirement benefits in such systems, or reducing compensation or mileage reimbursement of employees, anything to the contrary notwithstanding.

2. Any new members employed under this section, on or after January 1, 2024, shall be subject to the following provisions:

(1) A member of another state or local retirement or pension system who begins employment in a position covered by the sheriffs' retirement system shall become a member of the sheriffs' retirement system upon employment. Any membership in any other state or local retirement or pension system shall cease, except that the member shall be entitled to benefits accrued through December 31, 2023, or the commencement of membership in the sheriffs' retirement system, whichever is later; and

(2) Subject to the limitations under sections 57.949 to 57.997, the board shall have the authority to formulate and adopt rules and regulations for the administration of these provisions."; and

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