

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 586, Page 2, Section 30.753, Line 26, by
2 inserting after all of said section and line the following:
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4 "104.380. 1. If a retired member is elected to any state office or is appointed to any state
5 office or is employed by a department in a position normally requiring the performance by the
6 person of duties during not less than one thousand forty hours per year, the member shall not receive
7 an annuity for any month or part of a month for which the member serves as an officer or
8 employee~~[, but]~~ except, notwithstanding the provisions of section 105.684 to the contrary, those
9 retired members serving as a member of the general assembly under section 104.370 or an elected
10 state official under section 104.371.

11 2. Upon reemployment under subsection 1 of this section, the member shall be considered to
12 be a new employee with no previous creditable service and must accrue creditable service
13 continuously for at least one year in order to receive any additional annuity. Any retired member
14 who again becomes an employee and who accrues additional creditable service and later retires shall
15 receive an additional amount of monthly annuity calculated to include only the creditable service
16 and the average compensation earned by the member since such employment or creditable service
17 earned as a member of the general assembly. Years of membership service and twelfths of a year
18 are to be used in calculating any additional annuity except for creditable service earned as a member
19 of the general assembly, and such additional annuity shall be based on the type of service accrued.
20 In either event, the original annuity and the additional annuity, if any, shall be paid commencing
21 with the end of the first month after the month during which the member's term of office has been
22 completed, or the member's employment terminated. If a retired member is employed by a
23 department in a position that does not normally require the person to perform duties during at least
24 one thousand forty hours per year, the member shall not be considered an employee as defined
25 pursuant to section 104.010. A retired member who becomes reemployed as an employee on or
26 after August 28, 2001, in a position covered by the Missouri department of transportation and
27 highway patrol employees' retirement system shall not be eligible to receive retirement benefits or
28 additional creditable service from the state employees' retirement system. Annual benefit increases
29 paid under section 104.415 shall not accrue while a retired member is employed as described in this
30 section except, notwithstanding the provisions of section 105.684 to the contrary, those retired

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1 members serving as a member of the general assembly under section 104.370 or an elected state
2 official under section 104.371. Any future annual benefit increases paid after the member
3 terminates such employment will be paid in the same month as the member's original annual benefit
4 increases were paid. Benefits paid under subsection 3 of section 104.374 are not applicable to any
5 additional annuity paid under this section.

6 104.1039. If a retiree is employed as an employee by a department, the retiree shall not
7 receive an annuity payment for any calendar month in which the retiree is so employed except,
8 notwithstanding the provisions of section 105.684 to the contrary, those retirees serving as a member
9 of the general assembly or as a statewide elected official under section 104.1084. While
10 reemployed the retiree shall be considered to be a new employee with no previous credited service
11 and must accrue credited service continuously for at least one year in order to receive any additional
12 annuity. Such retiree shall receive an additional annuity in addition to the original annuity,
13 calculated based only on the credited service and the pay earned by such retiree during
14 reemployment and paid in accordance with the annuity option originally elected; provided such
15 retiree who ceases to receive an annuity pursuant to this section shall not receive such additional
16 annuity if such retiree is employed by a department in a position that is covered by a state-sponsored
17 defined benefit retirement plan not created pursuant to this chapter. The original annuity and any
18 additional annuity shall be paid commencing as of the end of the first month after the month during
19 which the retiree's reemployment terminates. Cost-of-living adjustments paid under section
20 104.1045 shall not accrue while a retiree is employed as described in this section except,
21 notwithstanding the provisions of section 105.684 to the contrary, those retirees serving as a member
22 of the general assembly or as a statewide elected official under section 104.1084. Any future cost-
23 of-living adjustments paid after the retiree terminates such employment will be paid in the same
24 month as the retiree's original annual benefit increases were paid."; and
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26 Further amend said bill, Page 46, Section 361.715, Line 14, by inserting after all of said section and
27 line the following:
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29 "362.245. 1. The affairs and business of the corporation shall be managed by a board of
30 directors, consisting of not less than five nor more than thirty-five stockholders who shall be elected
31 annually; except, that trust companies in existence on October 13, 1967, may continue to divide the
32 directors into three classes of equal number, as near as may be, and to elect one class each year for
33 three-year terms. Notwithstanding any provision of this chapter to the contrary, a director who is
34 not a stockholder shall have all the rights, privileges, and duties of a director who is a stockholder.

35 2. Each director shall be a citizen of the United States, and except for a private trust
36 company as described under section 361.160, at least a majority of the directors must be residents of
37 this state at the time of their election and during their continuance in office; provided, however, that
38 if a director actually resides within a radius of one hundred miles of the banking house of said bank
39 or trust company, even though his or her residence be in another state adjoining and contiguous to

1 the state of Missouri, he or she shall for the purposes of this section be considered as a resident of
2 this state and in the event such director shall be a nonresident of the state of Missouri he or she shall
3 upon his or her election as a director file with the president of the banking house or such other chief
4 executive [~~office~~] officer as otherwise permitted by this chapter written consent to service of legal
5 process upon him in his or her capacity as a director by service of the legal process upon the
6 president as though the same were personally served upon the director in Missouri.

7 3. If at a time when not more than a majority of the directors are residents of this state,
8 except for a private trust company as described under section 361.160, any director shall cease to be
9 a resident of this state or adjoining state as [~~defined~~] described in subsection 2 of this section, he or
10 she shall forthwith cease to be a director of the bank or trust company and his or her office shall be
11 vacant.

12 4. No person shall be a director in any bank or trust company against whom such bank or
13 trust company shall hold a judgment.

14 5. Cumulative voting shall only be permitted at any meeting of the members or stockholders
15 in electing directors when it is provided for in the articles of incorporation or bylaws."; and

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