

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 75, Page 1, Section
2 A, Line 4, by inserting after all of said section and line the following:
3

4 "86.253. 1. Upon termination of employment as a police officer and actual retirement for
5 service, a member shall receive a service retirement allowance which shall be an amount equal to
6 two percent of the member's average final compensation multiplied by the number of years of the
7 member's creditable service, up to twenty-five years, plus an amount equal to four percent of the
8 member's average final compensation for each year of creditable service in excess of twenty-five
9 years but not in excess of thirty years; plus an additional five percent of the member's average final
10 compensation for any creditable service in excess of thirty years. Notwithstanding the foregoing,
11 the service retirement allowance of a member who does not earn any creditable service after August
12 11, 1999, shall not exceed an amount equal to seventy percent of the member's average final
13 compensation, and the service retirement allowance of a member who earns creditable service on or
14 after August 12, 1999, shall not exceed an amount equal to seventy-five percent of the member's
15 average final compensation; provided, however, that the service retirement allowance of a member
16 who is participating in the DROP pursuant to section 86.251 on August 12, 1999, who returns to
17 active participation in the system pursuant to section 86.251, and who terminates employment as a
18 police officer and actually retires for reasons other than death or disability before earning at least
19 two years of creditable service after such return shall be the sum of (1) the member's service
20 retirement allowance as of the date the member entered DROP and (2) an additional service
21 retirement allowance based solely on the creditable service earned by the member following the
22 member's return to active participation. The member's total years of creditable service shall be
23 taken into account for the purpose of determining whether the additional allowance attributable to
24 such additional creditable service is two percent, four percent or five percent of the member's
25 average final compensation.

26 2. If, at any time since first becoming a member of the retirement system, the member has
27 served in the Armed Forces of the United States, and has subsequently been reinstated as a
28 policeman within ninety days after the member's discharge, the member shall be granted credit for
29 such service as if the member's service in the police department of such city had not been
30 interrupted by the member's induction into the Armed Forces of the United States. If earnable

Action Taken _____ Date _____

1 compensation is needed for such period in computation of benefits it shall be calculated on the basis
2 of the compensation payable to the officers of the member's rank during the period of the member's
3 absence. Notwithstanding any provision of sections 86.200 to 86.366 to the contrary, the retirement
4 system governed by sections 86.200 to 86.366 shall be operated and administered in accordance
5 with the applicable provisions of the Uniformed Services Employment and Reemployment Rights
6 Act of 1994, as amended.

7 3. The service retirement allowance of each present and future retired member who
8 terminated employment as a police officer and actually retired from service after attaining age fifty-
9 five or after completing twenty years of creditable service shall be increased annually at a rate not to
10 exceed three percent as approved by the board of trustees beginning with the first increase in the
11 second October following the member's retirement and subsequent increases in each October
12 thereafter, provided that each increase is subject to a determination by the board of trustees that the
13 consumer price index (United States City Average Index) as published by the United States
14 Department of Labor shows an increase of not less than the approved rate during the latest twelve-
15 month period for which the index is available at the date of determination; and provided further, that
16 if the increase is in excess of the approved rate for any year, such excess shall be accumulated as to
17 any retired member and increases may be granted in subsequent years subject to a maximum of
18 three percent for each full year from October following the member's retirement but not to exceed a
19 total percentage increase of thirty percent. In no event shall the increase described under this
20 subsection be applied to the amount, if any, paid to a member or surviving spouse of a deceased
21 member for services as a special consultant under subsection 5 of this section ~~[or, if applicable,~~
22 ~~subsection 6 of this section]~~. If the board of trustees determines that the index has decreased for any
23 year, the benefits of any retired member that have been increased shall be decreased but not below
24 the member's initial benefit. No annual increase shall be made of less than one percent and no
25 decrease of less than three percent except that any decrease may be limited in amount by the initial
26 benefit.

27 4. In addition to any other retirement allowance payable under this section and section
28 86.250, a member, upon termination of employment as police officer and actual service retirement,
29 may request payment of the total amount of the member's mandatory contributions to the retirement
30 system without interest. Upon receipt of such request, the board shall pay the retired member such
31 total amount of the member's mandatory contributions to the retirement system to be paid pursuant
32 to this subsection within sixty days after such retired member's date of termination of employment
33 as a police officer and actual retirement.

34 5. Any person who is receiving retirement benefits from the retirement system, upon
35 application to the board of trustees, shall be made, constituted, appointed and employed by the
36 board of trustees as a special consultant on the problems of retirement, aging and other matters, for
37 the remainder of the person's life or, in the case of a deceased member's surviving spouse, until ~~[the~~
38 ~~earlier of]~~ the person's death ~~[or remarriage]~~, and upon request of the board of trustees shall give
39 opinions and be available to give opinions in writing or orally, in response to such requests, as may

1 be required. For such services the special consultant shall be compensated monthly, in an amount
 2 which, when added to any monthly retirement benefits being received from the retirement system,
 3 including any cost-of-living increases under subsection 3 of this section, shall total six hundred fifty
 4 dollars a month. This employment shall in no way affect any person's eligibility for retirement
 5 benefits under this chapter, or in any way have the effect of reducing retirement benefits,
 6 notwithstanding any provisions of law to the contrary.

7 86.254. 1. Beginning July 1, 1994, in addition to any other annuity, benefits, or retirement
 8 allowance provided pursuant to sections 86.200 to 86.366, each present and future retired member
 9 after attaining the age of sixty years shall, upon application to the board of trustees, be made,
 10 constituted, appointed and employed by the board of trustees as an advisor on the problems of
 11 retirement, aging and other matters, for the remainder of the retired member's life, and upon request
 12 of the board of trustees shall give opinions in writing or orally in response to such requests as may
 13 be required.

14 2. For the performance of duties required in subsection 1 of this section, each retired
 15 member employed as an advisor by the board of trustees shall be compensated monthly in an
 16 amount of ten dollars per month multiplied by the number of years the retired member is past the
 17 age of sixty years. The compensation provided by this subsection shall be adjusted annually. No
 18 funding shall be required prior to the effective date of this benefit.

19 3. Beginning October 1, 1999, in addition to any other benefit provided to any surviving
 20 spouse pursuant to sections 86.200 to 86.366, each present and future surviving spouse of a member
 21 after attaining the age of sixty years shall upon application to the board of trustees, be made,
 22 constituted, appointed and employed by the board of trustees as an advisor on the problems of
 23 retirement, aging and other matters for the remainder of the surviving spouse's life ~~[or until the~~
 24 ~~surviving spouse remarries, whichever is earlier]~~, and upon request of the board of trustees shall
 25 give opinions in writing or orally in response to such requests as may be required.

26 4. For the performance of duties required in subsection 3 of this section, each surviving
 27 spouse of a member employed as an advisor by the board of trustees shall be compensated monthly
 28 in an amount of ten dollars per month multiplied by the number of years the surviving spouse is past
 29 the age of sixty years. The compensation provided by this subsection shall be adjusted annually.

30 86.280. Upon the receipt of proper proofs of the death of a member in service and provided
 31 no other benefits are payable under the retirement system, there shall be paid the following benefits:

32 (1) Effective October 1, 1999, a pension to the surviving spouse until the surviving spouse
 33 dies ~~[or remarries, whichever is earlier]~~, of forty percent of the deceased member's average final
 34 compensation plus fifteen percent of such compensation to, or for the benefit of, each unmarried
 35 dependent child of the deceased member, who is either under the age of eighteen, or who, regardless
 36 of age, is totally and permanently mentally or physically disabled and incapacitated from engaging
 37 in gainful occupation sufficient to support himself or herself;

38 (2) Any surviving spouse or unmarried dependent child receiving benefits pursuant to the
 39 provisions of this section immediately prior to October 1, 1999, shall, upon application to the board

1 of trustees, be made, constituted, appointed and employed by the board of trustees as a special
2 consultant on the problems of retirement, aging and other matters while the surviving spouse or
3 unmarried dependent child is receiving such benefits, and upon request of the board of trustees shall
4 give opinions in writing or orally in response to such requests as may be required. Beginning
5 October 1, 1999, for such services as may be required, the surviving spouse shall receive additional
6 monthly compensation in an amount equal to fifteen percent of the deceased member's average final
7 compensation, and there shall be payable an additional monthly compensation of one hundred
8 dollars or five percent of the member's average final compensation, whichever is greater, for each
9 unmarried dependent child of the member. The additional monthly compensation payable to a
10 surviving spouse pursuant to this subdivision shall be adjusted for any cost-of-living increases that
11 apply, pursuant to subdivision (8) of this section, to the benefit the surviving spouse was receiving
12 prior to October 1, 1999;

13 (3) If no surviving spouse benefits are payable pursuant to subdivisions (1) and (2) of this
14 section, such total pension as would have been paid pursuant to subdivisions (1) and (2) of this
15 section had there been a surviving spouse shall be divided among the unmarried dependent children
16 under age eighteen and such unmarried dependent children, regardless of age, who are totally and
17 permanently mentally or physically disabled and incapacitated from engaging in a gainful
18 occupation sufficient to support themselves. The benefit shall be divided equally among the eligible
19 dependent children, and the share of a child who is no longer eligible shall be divided equally
20 among the remaining eligible dependent children; provided that not more than one-half of the
21 surviving spouse's benefit shall be paid for one child;

22 (4) If there is no surviving spouse or dependent children, the return of accumulated
23 contributions to the designated beneficiary as set forth in section 86.293;

24 (5) No benefits pursuant to this section shall be paid to a child over eighteen years of age
25 who is totally and permanently disabled if such child is a patient or resident of a public-supported
26 institution, nor shall such benefits be paid unless such disability occurred prior to such child
27 reaching the age of eighteen;

28 (6) Wherever any dependent child designated by the board of trustees to receive benefits
29 pursuant to this section is in the care of the surviving spouse of the deceased member, such benefits
30 may be paid to such surviving spouse for the child;

31 (7) Any benefit payable to, or for the benefit of, a child or children under the age of eighteen
32 years pursuant to subdivisions (1) to (3) of this section shall continue to be paid beyond the age of
33 eighteen years through the age of twenty-two years if the child is a full-time student at a regularly
34 accredited college, business school, nursing school, school for technical or vocational training, or
35 university, but such extended benefit shall cease whenever the child ceases to be a student. A
36 college or university shall be deemed to be regularly accredited which maintains membership in
37 good standing in a national or regional accrediting agency recognized by any state college or
38 university;

1 (8) The benefits payable pursuant to this section to the surviving spouse of a member who
2 died in service after attaining the age of fifty-five or completing twenty years of creditable service
3 shall be increased in the same percentages and pursuant to the same method as is provided in section
4 86.253 for adjustments in the service retirement allowance of a retired member;

5 (9) In the event a surviving spouse receiving death benefits as a result of a prior marriage to
6 a deceased member subsequently remarries another member who also predeceases the surviving
7 spouse, the surviving spouse shall receive a single death benefit pension, which, upon application to
8 the board of trustees, shall be computed under subdivision (1) of this section using the highest of the
9 average final compensations of the deceased members to which the surviving spouse was previously
10 married;

11 (10) Beginning on August 28, 2023, any surviving spouse that had, prior to August 28,
12 2023, become ineligible for benefits under subdivisions (1) and (2) of this section as a result of
13 remarrying shall, upon application to the board of trustees, have reinstated all future benefits under
14 subdivisions (1) and (2) of this section. Any such reinstatement shall be as to future benefits only
15 and shall not be retroactive prior to August 28, 2023.

16 86.283. Upon receipt of proper proofs of the death of a retired member who retired while in
17 service, including retirement for service, ordinary disability or accidental disability, and provided no
18 other benefits are payable from the retirement system, there shall be paid the following benefits:

19 (1) Effective October 1, 1999, a pension to the surviving spouse until the surviving spouse
20 dies ~~[or remarries, whichever is earlier]~~, of forty percent of the deceased member's average final
21 compensation plus fifteen percent of such compensation to, or for the benefit of, each unmarried
22 dependent child of the deceased member, who is either under the age of eighteen, or who, regardless
23 of age, is totally and permanently mentally or physically disabled and incapacitated from engaging
24 in a gainful occupation sufficient to support himself or herself;

25 (2) Any surviving spouse or unmarried dependent child receiving benefits pursuant to this
26 section immediately prior to October 1, 1999, shall upon application to the board of trustees be
27 made, constituted, appointed and employed by the board of trustees as a special consultant on the
28 problems of retirement, aging and other matters while the surviving spouse or unmarried dependent
29 child is receiving such benefits, and upon request of the board of trustees shall give opinions in
30 writing or orally in response to such requests as may be required. Beginning October 1, 1999, for
31 such services as may be required, a surviving spouse shall receive additional monthly compensation
32 equal to the amount which when added to the benefits the surviving spouse was receiving pursuant
33 to this section prior to October 1, 1999, determined without regard to any increase applied to such
34 benefits prior to October 1, 1999, pursuant to subdivision (8) of this section, will increase the
35 surviving spouse's total monthly payment pursuant to this section to forty percent of the deceased
36 member's average final compensation, and there shall be payable an additional monthly
37 compensation of one hundred dollars or five percent of the member's average final compensation,
38 whichever is greater, for each unmarried dependent child of the member. The additional monthly
39 compensation payable to a surviving spouse pursuant to this subdivision shall be adjusted for any

1 cost-of-living increases that apply to the benefit the surviving spouse was receiving prior to October
2 1, 1999;

3 (3) If no surviving spouse benefits are payable pursuant to subdivisions (1) and (2) of this
4 section, such total pension as would have been paid pursuant to subdivisions (1) and (2) of this
5 section had there been a surviving spouse, determined without regard to any increase which would
6 have applied to the surviving spouse's benefits pursuant to subdivision (8) of this section, shall be
7 divided among the unmarried dependent children under age eighteen and unmarried dependent
8 children, regardless of age, who are totally and permanently mentally or physically disabled and
9 incapacitated from engaging in a gainful occupation sufficient to support themselves. The benefit
10 shall be divided equally among the eligible dependent children, and the share of a child who is no
11 longer eligible shall be divided equally among the remaining eligible dependent children; provided
12 that not more than one-half of the surviving spouse's benefits shall be paid for one child;

13 (4) No benefits pursuant to this section shall be paid to a child over eighteen years of age
14 who is totally and permanently disabled if such child is a patient or resident of a public-supported
15 institution, nor shall such benefits be paid unless such disability occurred prior to such child
16 reaching the age of eighteen;

17 (5) Whenever any dependent child designated by the board of trustees to receive benefits
18 pursuant to this section is in the care of the surviving spouse of the deceased member, such benefits
19 may be paid to such surviving spouse for the child;

20 (6) In the event of the death of a retired member receiving accidental disability benefits
21 before such benefits have been paid for five years, the member's surviving spouse until the surviving
22 spouse dies ~~[or remarries, whichever is earlier]~~, shall receive an additional pension of ten percent of
23 the deceased member's final average compensation;

24 (7) Any benefit payable to, or for the benefit of, a child or children under the age of eighteen
25 years pursuant to subdivisions (1) to (3) of this section shall continue to be paid beyond the age of
26 eighteen years through the age of twenty-two years if the child is a full-time student at a regularly
27 accredited college, business school, nursing school, school for technical or vocational training, or
28 university, but such extended benefit shall cease whenever the child ceases to be a student. A
29 college or university shall be deemed to be regularly accredited which maintains membership in
30 good standing in a national or regional accrediting agency recognized by any state college or
31 university;

32 (8) The benefits payable pursuant to this section to the surviving spouse of a retired member
33 who received or was entitled to receive a service retirement allowance shall be increased in the same
34 percentages and pursuant to the same method as is provided in section 86.253 for adjustments in the
35 service retirement allowance of a retired member;

36 (9) In the event a surviving spouse receiving death benefits as a result of a prior marriage to
37 a deceased member subsequently remarries another member who also predeceases the surviving
38 spouse, the surviving spouse shall receive a single death benefit pension, which, upon application to
39 the board of trustees, shall be computed under subdivision (1) of this section using the highest of the

1 average final compensations of the deceased members to which the surviving spouse was previously
 2 married;

3 (10) Beginning on August 28, 2023, any surviving spouse that had, prior to August 28,
 4 2023, become ineligible for benefits under subdivisions (1), (2), and (6) of this section as a result of
 5 remarrying shall, upon application to the board of trustees, have reinstated all future benefits under
 6 subdivisions (1), (2), and (6) of this section. Any such reinstatement shall be as to future benefits
 7 only and shall not be retroactive prior to August 28, 2023.

8 86.287. Upon the receipt by the board of trustees of evidence and proof that the death of a
 9 member was the natural and proximate result of an accident occurring at some definite time and
 10 place while the member was in the actual performance of duty and not caused by negligence on the
 11 part of the member, there shall be paid in lieu of the benefits pursuant to sections 86.280 to 86.283:

12 (1) Effective October 1, 1999, a pension to the surviving spouse until the surviving spouse
 13 dies ~~[or remarries, whichever is earlier]~~, of seventy-five percent of the deceased member's average
 14 final compensation plus fifteen percent of such compensation to, or for the benefit of, each
 15 unmarried dependent child of the deceased member, who is either under the age of eighteen, or who,
 16 regardless of age, is totally and permanently disabled and incapacitated from engaging in a gainful
 17 occupation sufficient to support himself or herself;

18 (2) Any surviving spouse or unmarried dependent child receiving benefits pursuant to this
 19 section immediately prior to October 1, 1999, shall upon application to the board of trustees be
 20 made, constituted, appointed and employed by the board of trustees as a special consultant on the
 21 problems of retirement, aging and other matters while the surviving spouse or unmarried dependent
 22 child is receiving such benefits, and upon request of the board of trustees shall give opinions in
 23 writing or orally in response to such requests as may be required. Beginning October 1, 1999, for
 24 such services as may be required, a surviving spouse shall receive additional monthly compensation
 25 equal to the amount which when added to the benefits the surviving spouse was receiving pursuant
 26 to this section prior to October 1, 1999, will increase the surviving spouse's total monthly benefit
 27 payment pursuant to this section to seventy-five percent of the deceased member's average final
 28 compensation, and there shall be payable an additional monthly compensation of one hundred
 29 dollars or five percent of the member's average final compensation, whichever is greater, for each
 30 unmarried dependent child of the member;

31 (3) If no surviving spouse benefits are payable pursuant to subdivisions (1) and (2) of this
 32 section, such total pension as would have been paid pursuant to subdivisions (1) and (2) of this
 33 section had there been a surviving spouse shall be divided among the unmarried dependent children
 34 under age eighteen and such unmarried dependent children, regardless of age, who are totally and
 35 permanently disabled and incapacitated from engaging in a gainful occupation sufficient to support
 36 themselves. The benefit shall be divided equally among the eligible dependent children, and the
 37 share of a child who is no longer eligible shall be divided equally among the remaining eligible
 38 dependent children; provided that not more than one-half of the surviving spouse's benefit shall be
 39 paid for one child;

1 (4) If there is no surviving spouse or unmarried dependent children of either class
2 mentioned in subdivision (3) of this section, then an amount equal to the surviving spouse's benefit
3 shall be paid to the member's dependent father or dependent mother to continue until remarriage or
4 death;

5 (5) No benefits pursuant to this section shall be paid to a child over eighteen years of age
6 who is totally and permanently disabled if such child is a patient or resident of a public-supported
7 institution, nor shall such benefits be paid unless such disability occurred prior to such child
8 reaching the age of eighteen;

9 (6) Wherever any dependent child designated by the board of trustees to receive benefits
10 pursuant to this section is in the care of the surviving spouse of the deceased member, such benefits
11 may be paid to such surviving spouse for the child;

12 (7) Any benefit payable to, or for the benefit of, a child or children under the age of eighteen
13 years pursuant to subdivisions (1) to (3) of this section shall continue to be paid beyond the age of
14 eighteen years through the age of twenty-two years in those cases where the child is a full-time
15 student at a regularly accredited college, business school, nursing school, school for technical or
16 vocational training, or university, but such extended benefit shall cease whenever the child ceases to
17 be a student. A college or university shall be deemed to be regularly accredited which maintains
18 membership in good standing in a national or regional accrediting agency recognized by any state
19 college or university;

20 (8) In the event a surviving spouse receiving death benefits as a result of a prior marriage to
21 a deceased member subsequently remarries another member who also predeceases the surviving
22 spouse, the surviving spouse shall receive a single death benefit pension, which, upon application to
23 the board of trustees, shall be computed under subdivision (1) of this section using the highest of the
24 average final compensations of the deceased members to which the surviving spouse was previously
25 married;

26 (9) Beginning on August 28, 2023, any surviving spouse that had, prior to August 28, 2023,
27 become ineligible for benefits under subdivisions (1) and (2) of this section as a result of remarrying
28 shall, upon application to the board of trustees, have reinstated all future benefits under subdivisions
29 (1) and (2) of this section. Any such reinstatement shall be as to future benefits only and shall not
30 be retroactive prior to August 28, 2023."; and

31
32 Further amend said bill by amending the title, enacting clause, and intersectional references
33 accordingly.