

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

Offered By

1 AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 898, Page 38,  
2 Section 169.660, Line 21, by inserting after all of the said section and line the following:

3  
4 "476.521. 1. (1) Notwithstanding any provision of this chapter to the contrary, each person  
5 who first becomes a judge on or after January 1, 2011, and continues to be a judge may receive  
6 benefits as provided in sections [476.445] 476.450 to [476.688] 476.690 subject to the provisions of  
7 this section.

8 (2) Any person who filed as a candidate in 2010 to become a judge, was ultimately elected  
9 and became a judge in 2011 as a result of such election, was a prior or current state employee, as  
10 defined in section 104.010 or 104.1003, at the time of such election, and remained a judge as of  
11 August 28, 2024, shall not be subject to this section or section 476.529 but shall be otherwise  
12 subject to sections 476.450 to 476.690.

13 (3) Any judge who meets the criteria outlined in subdivision (2) of this subsection shall receive  
14 a refund of his or her contribution, together with interest credited thereon. Such refund shall be paid  
15 by the system within an administratively reasonable period. No further contribution refund shall be  
16 payable pursuant to this chapter.

17 2. Any person who is at least sixty-seven years of age, has served in this state an aggregate  
18 of at least twelve years, continuously or otherwise, as a judge, and ceases to hold office by reason of  
19 the expiration of the judge's term, voluntary resignation, or retirement pursuant to the provisions of  
20 Subsection 2 of Section 24 of Article V of the Constitution of Missouri may receive benefits as  
21 provided in sections 476.515 to 476.565. The twelve-year requirement of this subsection may be  
22 fulfilled by service as judge in any of the courts covered, or by service in any combination as judge  
23 of such courts, totaling an aggregate of twelve years. Any judge who is at least sixty-seven years of  
24 age and who has served less than twelve years and is otherwise qualified under sections 476.515 to  
25 476.565 may retire after reaching age sixty-seven, or thereafter, at a reduced retirement  
26 compensation in a sum equal to the proportion of the retirement compensation provided in section  
27 476.530 that his or her period of judicial service bears to twelve years.

28 3. Any person who is at least sixty-two years of age or older, has served in this state an  
29 aggregate of at least twenty years, continuously or otherwise, as a judge, and ceases to hold office  
30 by reason of the expiration of the judge's term, voluntary resignation, or retirement pursuant to the  
31 provisions of Subsection 2 of Section 24 of Article V of the Constitution of Missouri may receive  
32 benefits as provided in sections 476.515 to 476.565. The twenty-year requirement of this subsection  
33 may be fulfilled by service as a judge in any of the courts covered, or by service in any combination  
34 as judge of such courts, totaling an aggregate of twenty years. Any judge who is at least sixty-two  
35 years of age and who has served less than twenty years and is otherwise qualified under sections  
36 476.515 to 476.565 may retire after reaching age sixty-two, at a reduced retirement compensation in

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1 a sum equal to the proportion of the retirement compensation provided in section 476.530 that his or  
2 her period of judicial service bears to twenty years.

3 4. All judges under this section required by the provisions of Section 26 of Article V of the  
4 Constitution of Missouri to retire at the age of seventy years shall retire upon reaching that age.

5 5. The provisions of sections 104.344, 476.524, and 476.690 shall not apply to judges  
6 covered by this section.

7 6. A judge shall be required to contribute four percent of the judge's compensation to the  
8 retirement system, which shall stand to the judge's credit in his or her individual account with the  
9 system, together with investment credits thereon, for purposes of funding retirement benefits  
10 payable as provided in sections 476.515 to 476.565, subject to the following provisions:

11 (1) The state of Missouri employer, pursuant to the provisions of 26 U.S.C. Section  
12 414(h)(2), shall pick up and pay the contributions that would otherwise be payable by the judge  
13 under this section. The contributions so picked up shall be treated as employer contributions for  
14 purposes of determining the judge's compensation that is includable in the judge's gross income for  
15 federal income tax purposes;

16 (2) Judge contributions picked up by the employer shall be paid from the same source of  
17 funds used for the payment of compensation to a judge. A deduction shall be made from each  
18 judge's compensation equal to the amount of the judge's contributions picked up by the employer.  
19 This deduction, however, shall not reduce the judge's compensation for purposes of computing  
20 benefits under the retirement system pursuant to this chapter;

21 (3) Judge contributions so picked up shall be credited to a separate account within the  
22 judge's individual account so that the amounts contributed pursuant to this section may be  
23 distinguished from the amounts contributed on an after-tax basis;

24 (4) The contributions, although designated as employee contributions, are being paid by the  
25 employer in lieu of the contributions by the judge. The judge shall not have the option of choosing  
26 to receive the contributed amounts directly instead of having them paid by the employer to the  
27 retirement system;

28 (5) Interest shall be credited annually on June thirtieth based on the value in the account as  
29 of July first of the immediately preceding year at a rate of four percent. Effective June 30, 2024,  
30 and each June thirtieth thereafter, the interest crediting rate shall be equal to the investment rate that  
31 is published by the United States Department of the Treasury, or its successor agency, for fifty-two-  
32 week treasury bills for the relevant auction that is nearest to the preceding July first, or a successor  
33 treasury bill investment rate as approved by the board if the fifty-two-week treasury bill is no longer  
34 issued. Interest credits shall cease upon retirement or death of the judge;

35 (6) A judge whose employment is terminated may request a refund of his or her  
36 contributions and interest credited thereon. If such judge is married at the time of such request, such  
37 request shall not be processed without consent from the spouse. A judge is not eligible to request a  
38 refund if the judge's retirement benefit is subject to a division of benefit order pursuant to section  
39 104.312. Such refund shall be paid by the system after ninety days from the date of termination of  
40 employment or the request, whichever is later and shall include all contributions made to any  
41 retirement plan administered by the system and interest credited thereon. A judge may not request a  
42 refund after such judge becomes eligible for retirement benefits under sections 476.515 to 476.565.  
43 A judge who receives a refund shall forfeit all the judge's service and future rights to receive  
44 benefits from the system and shall not be eligible to receive any long-term disability benefits;  
45 provided that any judge or former judge receiving long-term disability benefits shall not be eligible  
46 for a refund. If such judge subsequently becomes a judge and works continuously for at least one  
47 year, the service previously forfeited shall be restored if the judge returns to the system the amount  
48 previously refunded plus interest at a rate established by the board;

49 (7) The beneficiary of any judge who made contributions shall receive a refund upon the

1 judge's death equal to the amount, if any, of such contributions and interest credited thereon, less  
2 any retirement benefits received by the judge unless an annuity is payable to a survivor or  
3 beneficiary as a result of the judge's death. In that event, the beneficiary of the survivor or  
4 beneficiary who received the annuity shall receive a refund upon the survivor's or beneficiary's  
5 death equal to the amount, if any, of the judge's contributions less any annuity amounts received by  
6 the judge and the survivor or beneficiary.

7 7. The employee contribution rate, the benefits provided under sections 476.515 to 476.565  
8 to judges covered under this section, and any other provision of sections 476.515 to 476.565 with  
9 regard to judges covered under this section may be altered, amended, increased, decreased, or  
10 repealed, but only with respect to services rendered by the judge after the effective date of such  
11 alteration, amendment, increase, decrease, or repeal, or, with respect to interest credits, for periods  
12 of time after the effective date of such alteration, amendment, increase, decrease, or repeal.

13 8. Any judge who is receiving retirement compensation under section 476.529 or 476.530  
14 who becomes employed as an employee eligible to participate in the closed plan or in the year 2000  
15 plan under chapter 104, shall not receive such retirement compensation for any calendar month in  
16 which the retired judge is so employed. Any judge who is receiving retirement compensation under  
17 section 476.529 or section 476.530 who subsequently serves as a judge as defined pursuant to  
18 subdivision (4) of subsection 1 of section 476.515 shall not receive such retirement compensation  
19 for any calendar month in which the retired judge is serving as a judge; except that upon retirement  
20 such judge's annuity shall be recalculated to include any additional service or salary accrued based  
21 on the judge's subsequent service. A judge who is receiving compensation under section 476.529 or  
22 476.530 may continue to receive such retirement compensation while serving as a senior judge or  
23 senior commissioner and shall receive additional credit and salary for such service pursuant to  
24 section 476.682."; and

25  
26 Further amend said bill by amending the title, enacting clause, and intersectional references  
27 accordingly.