

SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 147
AN ACT

To repeal sections 57.280, 57.952, 57.955, 57.961, 57.962, 57.967, 70.630, 70.655, 70.680, 70.690, 70.745, 70.746, 70.747, 84.540, 84.570, 86.200, 87.140, 87.145, 87.155, 87.260, 87.350, 105.688, 169.450, 169.490, 483.088, 488.024, and 488.435, RSMo, and to enact in lieu thereof twenty-seven new sections relating to retirement.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 57.280, 57.952, 57.955, 57.961, 57.962, 57.967, 70.630, 70.655, 70.680, 70.690, 70.745, 70.746, 70.747, 84.540, 84.570, 86.200, 87.140, 87.145, 87.155, 87.260, 87.350, 105.688, 169.450, 169.490, 483.088, 488.024, and 488.435, RSMo, are repealed and twenty-seven new sections enacted in lieu thereof, to be known as sections 57.280, 57.952, 57.956, 57.961, 57.967, 70.630, 70.655, 70.680, 70.690, 70.745, 70.746, 70.747, 70.748, 84.540, 84.570, 86.200, 87.140, 87.145, 87.155, 87.260, 87.350, 105.688, 105.692, 105.693, 169.450, 169.490, and 488.435, to read as follows:

57.280. 1. Sheriffs shall receive a charge for service of any summons, writ, or other order of court, in connection with any civil case, and making on the same either a return indicating service, a non est return or a nulla bona return, the sum of twenty dollars for each item to be served, except that a sheriff shall receive a charge for service of any subpoena, and making a return on the same, the sum of ten dollars; however, no such charge shall

9 be collected in any proceeding when [court] costs for
10 service are to be paid by the state, county, or
11 municipality. In addition to such charge, the sheriff shall
12 be entitled to receive for each mile actually traveled in
13 serving any summons, writ, subpoena, or other order of court
14 the rate prescribed by the Internal Revenue Service for all
15 allowable expenses for motor vehicle use expressed as an
16 amount per mile, provided that such mileage shall not be
17 charged for more than one subpoena or summons or other writ
18 served in the same cause on the same trip. All of such
19 charges shall be received by the sheriff who is requested to
20 perform the service. Except as otherwise provided by law,
21 all charges made pursuant to this section shall be collected
22 by the [court clerk as court costs] sheriff's office
23 responsible for service and are payable prior to the time
24 the service is rendered; provided that if the amount of such
25 charge cannot be readily determined, then the sheriff shall
26 receive a deposit based upon the likely amount of such
27 charge, and the balance of such charge shall be payable
28 immediately upon ascertainment of the proper amount of said
29 charge. A sheriff may refuse to perform any service in any
30 action or proceeding, other than when [court] costs for
31 service are waived as provided by law, until the charge
32 provided by this section is paid. Failure to receive the
33 charge shall not affect the validity of the service.

34 2. The sheriff shall receive for receiving and paying
35 moneys on execution or other process, where lands or goods
36 have been levied and advertised and sold, five percent on
37 five hundred dollars and four percent on all sums above five
38 hundred dollars, and half of these sums, when the money is
39 paid to the sheriff without a levy, or where the lands or
40 goods levied on shall not be sold and the money is paid to
41 the sheriff or person entitled thereto, his agent or

attorney. The party at whose application any writ, execution, subpoena, or other process has issued from the court shall pay the sheriff's costs for the removal, transportation, storage, safekeeping and support of any property to be seized pursuant to legal process before such seizure. The sheriff shall be allowed for each mile, going and returning from the courthouse of the county in which he resides to the place where the court is held, the rate prescribed by the Internal Revenue Service for all allowable expenses for motor vehicle use expressed as an amount per mile. The provisions of this subsection shall not apply to garnishment proceeds.

3. The sheriff upon the receipt of the charge herein provided for shall pay into the treasury of the county any and all charges received pursuant to the provisions of this section. The funds collected pursuant to this section, not to exceed [fifty] seventy-five thousand dollars in any calendar year, shall be held in a fund established by the county treasurer, which may be expended at the discretion of the sheriff for the furtherance of the sheriff's set duties. Any such funds in excess of [fifty] seventy-five thousand dollars in any calendar year shall be placed to the credit of the general revenue fund of the county. Moneys in the fund shall be used only for the procurement of services and equipment to support the operation of the sheriff's office. Moneys in the fund established pursuant to this subsection shall not lapse to the county general revenue fund at the end of any county budget or fiscal year.

4. (1) Notwithstanding the provisions of subsection 3 of this section to the contrary, [the sheriff shall receive ten dollars] for service of any summons, writ, subpoena, or other order of the court included under subsection 1 of this section, in addition to the charge for such service that

75 each sheriff receives under subsection 1 of this section,
76 the sheriff of any county of the first, second, or fourth
77 classification or with a charter form of government shall
78 receive twenty dollars and the sheriff of any county of the
79 third classification shall receive fifteen dollars. The
80 money received by the sheriff under this subsection shall be
81 paid into the county treasury and the county treasurer shall
82 make such money payable to the state treasurer.

83 (2) For any moneys received by the state treasurer
84 from the county treasurer of any county of the first,
85 second, or fourth classification or with a charter form of
86 government, the state treasurer shall deposit ten dollars of
87 such moneys in the deputy sheriff salary supplementation
88 fund created under section 57.278 and ten dollars of such
89 moneys in the sheriffs' retirement fund created under
90 section 57.952, except that any moneys received from a
91 county that does not have a sheriff that participates in the
92 sheriffs' retirement system authorized by sections 57.949 to
93 57.997 shall be deposited in full in the deputy sheriff
94 supplementation fund. Any other person specially appointed
95 to serve in a county shall execute and deliver to the
96 circuit clerk, along with the confirmation of service, a
97 signed and notarized affidavit of confirmation, made under
98 penalty of perjury, that includes the amount, check number,
99 and date of payment to evidence payment was made to the
100 sheriff for the deputy sheriff salary supplementation fund
101 and the sheriffs' retirement fund as required by this
102 subsection.

103 (3) For any moneys received by the state treasurer
104 from the county treasurer of any county of the third
105 classification, the state treasurer shall deposit ten
106 dollars of such moneys in the deputy sheriff salary
107 supplementation fund created under section 57.278 and five

dollars of such moneys in the sheriffs' retirement fund
created under section 57.952, except that any moneys
received from a county that does not have a sheriff that
participates in the sheriffs' retirement system authorized
by sections 57.949 to 57.997 shall be deposited in full in
the deputy sheriff supplementation fund. Any other person
specially appointed to serve in a county shall execute and
deliver to the circuit clerk, along with the confirmation of
service, a signed and notarized affidavit of confirmation,
made under penalty of perjury, that includes the amount,
check number, and date of payment to evidence payment was
made to the sheriff for the deputy sheriff salary
supplementation fund and the sheriffs' retirement fund as
required by this subsection.

5. Notwithstanding the provisions of subsection 3 of this section, the court clerk shall collect ten dollars as a court cost for service of any summons, writ, subpoena, or other order of the court included under subsection 1 of this section if any person other than a sheriff is specially appointed to serve in a county that receives funds under section 57.278. The moneys received by the court clerk under this subsection shall be paid into the county treasury and the county treasurer shall make such moneys payable to the state treasurer. The state treasurer shall deposit such moneys in the deputy sheriff salary supplementation fund created under section 57.278.

6. Sheriffs shall receive up to fifty dollars for service of any summons, writ, or other order of the court in connection with any eviction proceeding, in addition to the charge for such service that each sheriff receives under this section. All of such charges shall be received by the sheriff who is requested to perform the service and shall be paid to the county treasurer in a fund established by the

141 county treasurer, which may be expended at the discretion of
142 the sheriff for the furtherance of the sheriff's set
143 duties. All charges shall be payable prior to the time the
144 service is rendered; provided that if the amount of such
145 charge cannot be readily determined, then the sheriff shall
146 receive a deposit based upon the likely amount of such
147 charge, and the balance of such charge shall be payable
148 immediately upon ascertainment of the proper amount of said
149 charge.

57.952. 1. There is hereby authorized a "Sheriffs'
2 Retirement Fund" which shall be under the management of [a]
3 the board [of directors] as described in section 57.958.
4 The board [of directors] shall be responsible for the
5 administration and the investment of the funds of such
6 sheriffs' retirement fund. The general assembly and the
7 governing body of a county may appropriate funds for deposit
8 in the sheriffs' retirement fund. [If insufficient funds
9 are generated to provide the benefits payable pursuant to
10 the provisions of sections 57.949 to 57.997, the board shall
11 proportion the benefits according to the funds available.]

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

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

57.956. 1. Notwithstanding any other provision of law
2 to the contrary, the department of corrections shall
3 subtract and make a payment to the state treasurer from any
4 per diem cost of incarceration to be received by each county
5 under section 221.105, or from any per diem cost for jail
6 reimbursement to be received by each county under any other

7 provision of law in effect on or after August 28, 2025, in
8 the amount of one dollar and seventy-five cents per day per
9 prisoner. The state treasurer shall deposit such funds in
10 the sheriffs' retirement fund created under section 57.952.

11 2. Notwithstanding subsection 1 of this section to the
12 contrary, if the sheriffs' retirement fund is funded to at
13 least ninety percent of the actuarially sound level and is
14 funded at a level above the actuarial need, the department
15 of corrections shall subtract and make a payment to the
16 state treasurer from any per diem cost of incarceration to
17 be received by each county under section 221.105, or from
18 any per diem cost for jail reimbursement to be received by
19 each county under any other provision of law in effect on or
20 after August 28, 2025, in the amount of one dollar per day
21 per prisoner. The state treasurer shall deposit such funds
22 in the sheriffs' retirement fund created under section
23 57.952. The retirement system shall annually provide a copy
24 of its actuarial report to the department of corrections.

25 3. The payment authorized by this section shall only
26 apply to counties that have a sheriff who participates in
27 the retirement system.

28 4. This section shall be effective on January 1, 2026.

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

9 2. Notwithstanding any other provision of law to the
10 contrary, each person who is a member of the system on or
11 after January 1, 2024, shall be required to contribute five

12 percent of the member's pay to the [retirement] system.
13 Such contribution shall be made by the member of the system
14 notwithstanding that the minimum salary or wages provided by
15 law for any member shall thereby be changed. Each member
16 shall be deemed to consent and agree to the deduction made
17 and provided for herein. Payment of a member's compensation
18 less such deduction shall be a full and complete discharge
19 and acquittance of all claims and demands whatsoever for
20 services rendered by him or her to a county, except as to
21 benefits provided by this system.

22 3. The county employer, pursuant to the provisions of
23 26 U.S.C. Section 414(h) (2), shall pick up and pay the
24 contributions that would otherwise be payable by the member
25 under this section. The officer or officers responsible for
26 making up the payrolls for each county shall cause the
27 contribution provided for in this section to be deducted
28 from the compensation of the member in the employ of the
29 county, on each and every payroll, for each and every
30 payroll to the date his or her membership terminates. When
31 deducted, each contribution shall be paid by the county to
32 the system; the payments shall be made in the manner and
33 shall be accompanied by such supporting data as the board
34 shall from time to time prescribe. When paid to the system,
35 each of the contributions shall be credited to the member
36 from whose compensation the contributions were deducted.
37 The contributions so deducted shall be treated as [employee]
38 employer contributions for purposes of determining the
39 member's pay that is includable in the member's gross income
40 for federal income tax purposes.

41 4. Member contributions [deducted and paid into the
42 system by the county] picked up by the employer shall be
43 paid from the same source of funds used for the payment of
44 pay to a member. A deduction shall be made from each

member's pay equal to the amount of the member's contributions picked up by the employer. This deduction, however, shall not reduce the member's pay for purposes of computing benefits under the [retirement] system under this chapter.

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

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

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

78 8. Subject to the limitations under sections 57.949 to
79 57.997, the board shall have the authority to formulate and
80 adopt rules and regulations for the administration of these
81 provisions.

 57.967. 1. The normal annuity of a retired member
2 shall equal two percent of the final average compensation of
3 the retired member multiplied by the number of years of
4 creditable service of the retired member, except that the
5 normal annuity shall not exceed seventy-five percent of the
6 retired member's average final compensation. Such annuity
7 shall be not less than one thousand dollars per month.

 2. The board, at its last meeting of each calendar
9 year, shall determine the monthly amount for medical
10 insurance premiums to be paid to each retired member during
11 the next following calendar year. The monthly amount shall
12 not exceed four hundred fifty dollars. The monthly payments
13 are at the discretion of the board on the advice of the
14 actuary. The anticipated sum of all such payments during
15 the year plus the annual normal cost plus the annual amount
16 to amortize the unfunded actuarial accrued liability in no
17 more than thirty years shall not exceed the anticipated
18 moneys credited to the system pursuant to [sections] section
19 57.952 [and 57.955]. The money amount granted here shall
20 not be continued to any survivor.

 3. If a member with eight or more years of service
22 dies before becoming eligible for retirement, the member's
23 surviving spouse, if he or she has been married to the
24 member for at least two years prior to the member's death,
25 shall be entitled to survivor benefits under option 1 as set
26 forth in section 57.979 as if the member had retired on the
27 date of the member's death. The member's monthly benefit
28 shall be calculated as the member's accrued benefit at his
29 or her death reduced by one-fourth of one percent per month

30 for an early commencement from the member's normal
31 retirement date: age fifty-five with twelve or more years
32 of creditable service or age sixty-two with eight years of
33 creditable service, to the member's date of death. Such
34 benefit shall be payable on the first day of the month
35 following the member's death and shall be payable during the
36 surviving spouse's lifetime.

70.630. 1. The membership of the system shall include
2 the following persons:

3 (1) All employees who are neither policemen nor
4 firemen who are in the employ of a political subdivision the
5 day preceding the date such political subdivision becomes an
6 employer and who continue in such employ on and after such
7 date shall become members of the system.

8 (2) All persons who become employed by a political
9 subdivision as neither policemen nor firemen on or after the
10 date such political subdivision becomes an employer shall
11 become members of the system.

12 (3) If his employing political subdivision has elected
13 to cover present and future policemen, all policemen who are
14 in the employ of a political subdivision the day preceding
15 the date such political subdivision covers policemen
16 hereunder and who continue in such employ as a policeman on
17 and after such date, and all persons who become employed by
18 a political subdivision as a policeman on or after the date
19 the political subdivision covers policemen shall become
20 members of the system.

21 (4) If his employing political subdivision has elected
22 to cover only future policemen, all persons who become
23 employed by a political subdivision as a policeman on or
24 after the date such political subdivision covers policemen
25 hereunder shall become members of the system.

26 (5) If his employing political subdivision has elected
27 to cover present and future firemen, all firemen who are in
28 the employ of a political subdivision the day preceding the
29 date such political subdivision covers firemen hereunder and
30 who continue in such employ as a fireman on and after such
31 date, and all persons who become employed by a political
32 subdivision as a fireman on or after the date the political
33 subdivision covers firemen hereunder shall become members of
34 the system.

35 (6) If his employing political subdivision has elected
36 to cover only future firemen, all persons who become
37 employed by a political subdivision as a fireman on or after
38 the date such political subdivision covers firemen hereunder
39 shall become members of the system.

40 2. [In no event shall an employee become a member if
41 continuous employment to time of retirement will leave the
42 employee with less than minimum number of years of credited
43 service specified in section 70.645.]

44 3.1 In any case of question as to the system
45 membership status of any person, the board shall decide the
46 question.

70.655. 1. Upon a member's retirement he or she shall
2 receive an allowance for life in accordance with the
3 applicable benefit program elected by the member's employer,
4 as follows:

5 (1) Benefit program L-1. A member with credited
6 service covered by benefit program L-1 shall receive an
7 allowance for life equal to one percent of the member's
8 final average salary multiplied by the number of years of
9 such credited service;

10 (2) Benefit program L-3. A member with credited
11 service covered by benefit program L-3 shall receive an
12 allowance for life equal to one and one-quarter percent of

the member's final average salary multiplied by the number of years of such credited service;

(3) Benefit program LT-4. A member with credited service covered by benefit program LT-4 shall receive an allowance for life equal to one percent of the member's final average salary multiplied by the number of years of such credited service. In addition, if such member is retiring as provided in section 70.645 or section 70.650 or section 70.670, and if such member's age at retirement is younger than age sixty-two, then such member shall receive a temporary allowance equal to one percent of the member's final average salary multiplied by the number of years of such credited service. Such temporary allowance shall terminate at the end of the calendar month in which the earlier of the following events occurs: such member's death; or the member's attainment of age sixty-two;

(4) Benefit program LT-5. A member with credited service covered by benefit program LT-5 shall receive an allowance for life equal to one and one-quarter percent of the member's final average salary multiplied by the number of years of such credited service. In addition, if such member is retiring as provided in section 70.645 or section 70.650 or section 70.670, and if such member's age at retirement is younger than age sixty-two, then such member shall receive a temporary allowance equal to three-quarters of one percent of the member's final average salary multiplied by the number of years of such credited service. Such temporary allowance shall terminate at the end of the calendar month in which the earlier of the following events occurs: such member's death; or the member's attainment of age sixty-two;

(5) Benefit program L-6. A member with credited service covered by benefit program L-6 shall receive an

allowance for life equal to two percent of the member's final average salary multiplied by the number of years of such credited service;

(6) Benefit program L-7. A member with credited service covered by benefit program L-7 shall receive an allowance for life equal to one and one-half percent of the member's final average salary multiplied by the number of years of such credited service;

(7) Benefit program LT-8. A member with credited service covered by benefit program LT-8 shall receive an allowance for life equal to one and one-half percent of the member's final average salary multiplied by the number of years of such credited service. In addition, if such member is retiring as provided in section 70.645 or section 70.650 or section 70.670, and if such member's age at retirement is younger than age sixty-two, then such member shall receive a temporary allowance equal to one-half of one percent of the member's final average salary multiplied by the number of years of such credited service. Such temporary allowance shall terminate at the end of the calendar month in which the earlier of the following events occurs: such member's death; or the member's attainment of age sixty-two;

(8) Benefit program LT-4(65). A member with credited service covered by benefit program LT-4(65) shall receive an allowance for life equal to one percent of the member's final average salary multiplied by the number of years of such credited service. In addition, if such member is retiring as provided in section 70.645 or section 70.650 or section 70.670, and if such member's age at retirement is younger than age sixty-five, then such member shall receive a temporary allowance equal to one percent of the member's final average salary multiplied by the number of years of such credited service. Such temporary allowance shall

79 terminate at the end of the calendar month in which the
80 earlier of the following events occurs: such member's death;
81 or the member's attainment of age sixty-five;

82 (9) Benefit program LT-5(65). A member with credited
83 service covered by benefit program LT-5(65) shall receive an
84 allowance for life equal to one and one-quarter percent of
85 the member's final average salary multiplied by the number
86 of years of such credited service. In addition, if such
87 member is retiring as provided in section 70.645 or section
88 70.650 or section 70.670, and if such member's age at
89 retirement is younger than age sixty-five, then such member
90 shall receive a temporary allowance equal to three-quarters
91 of one percent of the member's final average salary
92 multiplied by the number of years of such credited service.
93 Such temporary allowance shall terminate at the end of the
94 calendar month in which the earlier of the following events
95 occurs: such member's death; or the member's attainment of
96 age sixty-five;

97 (10) Benefit program LT-8(65). A member with credited
98 service covered by benefit program LT-8(65) shall receive an
99 allowance for life equal to one and one-half percent of the
100 member's final average salary multiplied by the number of
101 years of such credited service. In addition, if such member
102 is retiring as provided in section 70.645 or section 70.650
103 or section 70.670, and if such member's age at retirement is
104 younger than age sixty-five, then such member shall receive
105 a temporary allowance equal to one-half of one percent of
106 the member's final average salary multiplied by the number
107 of years of such credited service. Such temporary allowance
108 shall terminate at the end of the calendar month in which
109 the earlier of the following events occurs: such member's
110 death; or the member's attainment of age sixty-five;

111 (11) Benefit program L-9. A member with credited
112 service covered by benefit program L-9 shall receive an
113 allowance for life equal to one and six-tenths percent of
114 the member's final average salary multiplied by the number
115 of years of such credited service;

116 (12) Benefit program LT-10(65). A member with
117 credited service covered by benefit program LT-10(65) shall
118 receive an allowance for life equal to one and six-tenths
119 percent of the members' final average salary multiplied by
120 the number of years of such credited service. In addition,
121 if such member is retiring as provided in section 70.645 or
122 section 70.650 or section 70.670, and if such member's age
123 at retirement is younger than age sixty-five, then such
124 member shall receive a temporary allowance equal to four-
125 tenths of one percent of the member's final average salary
126 multiplied by the number of years of such credited service.
127 Such temporary allowance shall terminate at the end of the
128 calendar month in which the earlier of the following events
129 occurs: such member's death; or the member's attainment of
130 age sixty-five;

131 (13) Benefit program L-11. Benefit program L-11 may
132 cover employment in a position only if such position is not
133 concurrently covered by federal Social Security; in
134 addition, if such position was previously covered by federal
135 Social Security, benefit program L-11 may cover only
136 employment rendered after cessation of federal Social
137 Security coverage. A member with credited service covered
138 by benefit program L-11 shall receive an allowance for life
139 equal to two and one-half percent of the member's final
140 average salary multiplied by the number of years of such
141 credited service;

142 (14) Benefit program L-12. A member with credited
143 service covered by benefit program L-12 shall receive an

allowance for life equal to one and three-quarter percent of the member's final average salary multiplied by the number of years of such credited service;

(15) Benefit program LT-14(65). A member with credited service covered by benefit program LT-14(65) shall receive an allowance for life equal to one and three-quarter percent of the member's final average salary multiplied by the number of years of such credited service. In addition, if such member is retiring as provided in section 70.645, 70.650, or 70.670, then such member shall receive a temporary allowance equal to one-quarter of one percent of the member's final average salary multiplied by the number of years of such credited service. Such temporary allowance shall terminate at the end of the calendar month in which the earlier of the following events occurs: such member's death or the member's attainment of age sixty-five.

2. If each portion of a member's credited service is not covered by the same benefit program, then the member's total allowance for life shall be the total of the allowance for life determined under each applicable benefit program.

3. Each employer shall have the credited service of each of its members covered by benefit program L-1 provided for in this section unless such employer shall have elected another benefit program provided for in this section.

4. Except as otherwise provided in this subsection, each political subdivision, by majority vote of its governing body, may elect from time to time to cover its members, whose political subdivision employment is concurrently covered by federal Social Security, under one of the benefit programs provided for in this section. Each political subdivision, by majority vote of its governing body, may elect from time to time to cover its members, whose political subdivision employment is not concurrently

covered by federal Social Security, under one of the benefit programs provided for in this section. The clerk or secretary of the political subdivision shall certify the election of the benefit program to the board within ten days after such vote. The effective date of the political subdivision's benefit program is the first day of the calendar month specified by such governing body, or the first day of the calendar month next following receipt by the board of the certification of election of benefit program, or the effective date of the political subdivision becoming an employer, whichever is the latest. Such election of benefit program may be changed from time to time by such vote, but not more often than biennially. If such changed benefit program provides larger allowances than the benefit program previously in effect, then such larger benefit program shall be applicable to the past and future employment with the employer by present and future employees. If such changed benefit program provides smaller allowances than the benefit program previously in effect, then such changed benefit program shall be applicable only to credited service for employment rendered from and after the effective date of such change. After August 28, 1994, political subdivisions shall not elect coverage under benefit program LT-4, benefit program LT-5, or benefit program LT-8. After August 28, 2005, political subdivisions shall not elect coverage under benefit program L-9 or benefit program LT-10(65).

5. Should an employer change its election of benefit program as provided in this section, the employer contributions shall be correspondingly changed effective the same date as the benefit program change.

6. The limitation on increases in an employer's contribution provided by subsection 6 of section 70.730

shall not apply to any contribution increase resulting from an employer electing a benefit program which provides larger allowances.

7. Subject to the provisions of subsections 8 and 9 [and 10] of this section, for an allowance becoming effective on September 28, 1975, or later, and beginning with the October first which is at least twelve full months after the effective date of the allowance, the amount of the allowance shall be redetermined effective each October first and such redetermined amount shall be payable for the ensuing year. Subject to the limitations stated in the next sentence, such redetermined amount shall be the amount of the allowance otherwise payable multiplied by the following percent: one hundred percent, plus two percent for each full year (excluding any fraction of a year) in the period from the effective date of the allowance to the current October first. In no event shall such redetermined amount (1) be less than the amount of the allowance otherwise payable nor (2) be more than the amount of the allowance otherwise payable multiplied by the following fraction: the numerator shall be the Consumer Price Index for the month of June immediately preceding such October first (but in no event an amount less than the denominator below) and the denominator shall be the Consumer Price Index for the month of June immediately preceding the effective date of the allowance. As used herein, "Consumer Price Index" means a measure of the Consumer Price Index [for Urban Wage Earners and Clerical Workers,] as determined by the United States Department of Labor and adopted by the board of trustees [in effect January 1, 1975; provided, should such Consumer Price Index be restructured subsequent to 1974 in a manner materially changing its character, the board shall change the application of the Consumer Price Index so that as far

as is practicable the 1975 intent of the use of the Consumer Price Index shall be continued]. As used herein "the amount of the allowance otherwise payable" means the amount of the allowance which would be payable without regard to these provisions redetermining allowance amounts after retirement.

8. [Subject to the provisions of subsections 9 and 10 of this section, for an allowance becoming effective on September 28, 1975, or later, the maximum allowance payable under the provisions of section 70.685 shall be redetermined each October first in the same manner as an allowance is redetermined under the provisions of subsection 7 of this section.

9.] (1) The system establishes reserves for the payment of future allowances to retirants and beneficiaries. Should the board determine, after consulting with the actuary, that the established reserves are more than sufficient to provide such allowances, the board may increase the annual increase rate provided for in [subsections] subsection 7 [and 8] of this section, as it applies to any allowance payable, but in no event shall the total of all redetermined amounts as of October first of any year be greater than one hundred four percent of the allowances which would have been payable that October first without such redeterminations; provided, as of any redetermination date the same annual increase rate shall be applied to all allowances with effective dates in the range of November first to October first of the following year. The board may extend the provisions of [subsections] subsection 7 [and 8] of this section to allowances which became effective before September 28, 1975; provided such an action by the board shall not increase an employer contribution rate then in effect;

275 (2) After August 28, 1993, the annual increase rate
276 established by this subsection shall be a compound rate,
277 compounded annually, and the four percent annual maximum
278 rate shall also be a compound rate, compounded annually;
279 provided, the use of such compounding shall not begin until
280 October 1, 1993, and shall not affect redeterminations made
281 prior to that date.

282 [10.] 9. Should the board determine that the
283 provisions of subsections 7[, 8] and [9] 8 of this section
284 are jeopardizing the financial solvency of the system, the
285 board shall suspend these provisions redetermining allowance
286 amounts after retirement for such periods of time as the
287 board deems appropriate.

70.680. 1. Any member in service with five or more
2 years of credited service who has not attained the age and
3 service requirements of section 70.645 and who becomes
4 totally and permanently physically or mentally incapacitated
5 for his duty as an employee, as the result of a personal
6 injury or disease, may be retired by the board upon written
7 application filed with the board by or on behalf of the
8 member; provided, that after a medical examination of such
9 member made by or under the direction of a medical committee
10 consisting of three physicians, one of whom shall be
11 selected by the board, one by or on behalf of such member,
12 and the third by the first two physicians so named, the
13 medical committee reports to the board, by majority opinion
14 in writing, that such member is physically or mentally
15 totally incapacitated for the further performance of duty,
16 that such incapacity will probably be permanent and that
17 such member should be retired.

18 2. Upon disability retirement, as provided in
19 subsection 1 of this section, a member shall receive an
20 allowance for life provided for in section 70.655 and shall

21 have the right to elect an option provided for in section
22 70.660. His or her disability retirement and allowance
23 shall be subject to the provisions of subsection 5 of this
24 section [and to the provisions of section 70.685].

25 3. Any member in service who becomes totally and
26 permanently physically or mentally incapacitated for his
27 duty as an employee, as the natural and proximate result of
28 a personal injury or disease which the board finds to have
29 arisen out of and in the course of his actual performance of
30 duty as an employee, may be retired by the board upon
31 written application filed with the board by or on behalf of
32 the member; provided, that after a medical examination of
33 such member made by or under the direction of a medical
34 committee consisting of three physicians, one of whom shall
35 be selected by the board, one by or on behalf of such
36 member, and the third by the first two physicians so named,
37 the medical committee reports to the board, by majority
38 opinion in writing, that such member is physically or
39 mentally totally incapacitated for the further performance
40 of duty, that such incapacity will probably be permanent,
41 and that such member should be retired.

42 4. Upon disability retirement as provided in
43 subsection 3 of this section, a member shall receive an
44 allowance for life provided for in section 70.655; provided,
45 that for the sole purpose of computing the amount of such
46 allowance, he or she shall be given credited service for the
47 period from the date of his or her disability retirement to
48 the date he or she would attain age sixty. He or she shall
49 have the right to elect an option provided for in section
50 70.660. His or her disability retirement and allowance
51 shall be subject to the provisions of subsection 5 of this
52 section [and to the provisions of section 70.685].

5. At least once each year during the first five years following a member's retirement on account of disability, and at least once in each three-year period thereafter, the board shall require any disability retirant who has not attained his minimum service retirement age to undergo a medical examination to be made by a physician designated by the board. If the retirant refuses to submit to medical examination in any such period, his disability allowance shall be suspended by the board until his withdrawal of such refusal. If such refusal continues for one year, all his rights in and to a disability allowance shall be revoked by the board. If, upon medical examination of the retirant, the physician reports to the board that the retirant is physically and mentally able and capable of resuming his duty as an employee in the position held by him at the time of his disability retirement, then the board shall, if demanded by the retirant, arrange a further medical examination of such member made by or under the direction of a medical committee consisting of three physicians, one of whom shall be selected by the board, one by or on behalf of the member, and the third by the first two physicians named. Should the medical committee concur, by majority opinion in writing to the board, the disability retirant is capable of resumption of duty, his disability retirement shall terminate and he shall be returned to duty and he shall immediately again become a member of the system, his credited service at the time of disability retirement shall be restored to his credit, and the amount of his accumulated contributions at the time of his disability retirement shall be restored to his credit in the members deposit fund. If he was in receipt of a duty disability allowance provided for in subsection 3 of this section, he shall also be given

85 service credit for the period he was in receipt of the duty
86 disability allowance.

70.690. 1. In the event a member ceases to be a
2 member other than by death before the date he becomes
3 entitled to retire with an allowance payable by the system,
4 he shall be paid, upon his written application filed with
5 the board, his accumulated contributions standing to his
6 credit in the members deposit fund.

7 2. In the event a member dies, and no allowance
8 becomes or will become payable by the system on account of
9 his death, his accumulated contributions standing to his
10 credit in the members deposit fund at the time of his death
11 shall be paid to such person or persons as he shall have
12 nominated by written designation duly executed and filed
13 with the board. If there be no such designated person or
14 persons surviving such member, such accumulated
15 contributions shall be paid to his surviving spouse, or to
16 his estate if there is no surviving spouse.

17 3. In the event a member's membership in the system
18 terminates, and no allowance becomes or will become payable
19 on his account, any accumulated contributions standing to
20 his credit in the members deposit fund unclaimed by such
21 member or his legal representative within [three] ten years
22 after the date his membership terminated, shall be
23 transferred to the income-expense fund. If thereafter
24 proper application is made for such accumulated
25 contributions, the board shall pay them from the income-
26 expense fund, but without interest after the date payment
27 was first due.

70.745. 1. The board shall be the trustees of the
2 funds of the system. Subject to the provisions of any
3 applicable federal or state laws, the board shall have full
4 power to invest and reinvest the moneys of the system, and

5 to hold, purchase, sell, assign, transfer or dispose of any
6 of the securities and investments in which such moneys shall
7 have been invested, as well as the proceeds of such
8 investments and such moneys.

9 2. The board of trustees may deliberate about, or make
10 tentative or final decisions on, investments or other
11 financial matters in a closed meeting under chapter 610 if
12 disclosure of the deliberations or decisions would
13 jeopardize the ability to implement a decision or to achieve
14 investment objectives. A record of the retirement system
15 that discloses deliberations about, or a tentative decision
16 on, investments or other financial matters is not a public
17 record under chapter 610 to the extent and so long as its
18 disclosure would jeopardize the ability to implement a
19 decision or to achieve investment objectives.

70.746. Notwithstanding any other provision of law to
2 the contrary, the board of trustees may delegate to its duly
3 appointed investment counselor authority to act in place of
4 the board in the investment and reinvestment of all or part
5 of the moneys of the system, and may also delegate to such
6 counselor the authority to act in place of the board in the
7 holding, purchasing, selling, assigning, transferring, or
8 disposing of any or all of the securities and investments in
9 which such moneys shall have been invested, as well as the
10 proceeds of such investments and such moneys. [Such
11 investment counselor shall be registered as an investment
12 advisor with the United States Securities and Exchange
13 Commission.] In exercising or delegating its investment
14 powers and authority, members of the board shall exercise
15 ordinary business care and prudence under the facts and
16 circumstances prevailing at the time of the action or
17 decision. In so doing, the board shall consider the long-
18 and short-term needs of the system in carrying out its

19 purposes, the system's present and anticipated financial
20 requirements, the expected total return on the system's
21 investment, general economic conditions, income, growth,
22 long-term net appreciation, and probable safety of funds.
23 No member of the board shall be liable for any action taken
24 or omitted with respect to the exercise of or delegation of
25 these powers and authority if such member shall have
26 discharged the duties of his or her position in good faith
27 and with that degree of diligence, care, and skill which
28 prudent men and women would ordinarily exercise under
29 similar circumstances in a like position.

70.747. Notwithstanding any other provision of law to
2 the contrary, the board shall have full power to invest and
3 reinvest the funds and moneys of the system in improved real
4 estate, including collective real estate funds and real
5 estate investment trusts, wherever situated[; provided,
6 however, that not more than one-tenth of the funds and
7 moneys of the system at the time of such investment shall be
8 so invested].

70.748. 1. Notwithstanding the provisions of section
2 105.662 to the contrary, the board may set up and maintain a
3 local government employee retirement systems of Missouri
4 investment fund account in which investment and reinvestment
5 of all or part of the moneys of the retirement system may be
6 placed and be available for investment purposes.
7 2. For the purpose of investing the funds of the
8 retirement system, the funds may be combined with the funds
9 of any retirement plan that is administered by the
10 retirement system under section 70.621 and any retirement
11 plan established for the purpose of providing benefits for
12 employees of the system, but the funds of each plan shall be
13 accounted for separately and for all other reporting
14 purposes shall be separate.

15 3. The board of trustees may promulgate such rules and
16 regulations consistent with the provisions of this section
17 as deemed necessary for its proper administration, pursuant
18 to the provisions of this section and this chapter. Any
19 rule or portion of a rule, as that term is defined in
20 section 536.010, that is created under the authority
21 delegated in this section shall become effective only if it
22 complies with and is subject to all of the provisions of
23 chapter 536 and, if applicable, section 536.028. This
24 section and chapter 536 are nonseverable and if any of the
25 powers vested with the general assembly pursuant to chapter
26 536 to review, to delay the effective date, or to disapprove
27 and annul a rule are subsequently held unconstitutional,
28 then the grant of rulemaking authority and any rule proposed
29 or adopted after August 28, 2025, shall be invalid and void.

84.540. 1. Upon recommendation of the chief of
2 police, the board may authorize and provide for the
3 organization of a police reserve force composed of residents
4 of the city who qualify under the provisions of subsection 1
5 of section 84.570, however, in the interest of efficiency
6 and public safety, no person shall serve as a member of such
7 police reserve force following the last day of the month in
8 which the person becomes sixty-five years of age. Such
9 reserve force shall be under the command of the chief of
10 police and shall be provided training, equipment, uniforms,
11 and arms as the chief shall direct with the approval of the
12 board; and when assigned to active duty the members of the
13 reserve force shall possess all of the powers of regular
14 police officers and shall be subject to all laws and
15 regulations applicable to police officers; provided,
16 however, that the city council or other governing body of
17 any such city may in its discretion fix a total in number
18 which the reserve force may not exceed.

19 2. In event of riot or other emergencies as declared
20 and defined by the mayor, the city council or other
21 governing body in such city in concurrence with the board,
22 the board, upon recommendation of the chief, may appoint
23 special officers or patrolmen for temporary service in
24 addition to the police reserve force herein provided for,
25 but the length of time for which such officers or patrolmen
26 shall be employed shall be limited to the time during which
27 such emergency shall exist.

84.570. 1. No person shall be appointed policeman or
2 officer of police who shall have been convicted of any
3 offense, the punishment of which may be confinement in the
4 state penitentiary; nor shall any person be appointed who is
5 not proven to be of good character, or who is not proven to
6 be a bona fide citizen of the United States, or who cannot
7 read and write the English language and who does not possess
8 ordinary physical strength and courage, nor shall any person
9 be originally appointed to said police force who is less
10 than twenty-one years of age. Notwithstanding any other
11 provision of law, the board shall have the sole authority to
12 determine conditions of employment for police officers
13 pursuant to section 84.460.

14 2. In the interest of efficiency and public safety,
15 law enforcement officers, as such term is defined in 29
16 U.S.C. Section 630 or any successor statute, shall be
17 separated from service on the last day of the month in which
18 the employee becomes sixty-five years of age or reaches
19 thirty-five years of creditable service, as such term is
20 defined in section 86.900, whichever occurs later.

21 3. The board shall from time to time require open
22 competitive examinations or tests for determining the
23 qualifications and fitness of all applicants for appointment
24 to positions on the police force. Such examinations and

25 tests shall be practical and shall relate to matters which
26 fairly measure the relative fitness of the candidates to
27 discharge the duties of the positions to which they seek to
28 be appointed. Notice of such examinations and tests shall
29 be given not less than ten days in advance thereof by public
30 advertisement in at least one newspaper of general
31 circulation in such city, and by posting notice in the
32 police headquarters building. A list of those qualifying in
33 such examinations shall be established, listing those
34 qualified in order of rank. When an appointment is to be
35 made, the appointment shall be made from such eligible list.

36 [3.] 4. The board shall also establish rules for:

37 (1) Temporary employment for not exceeding sixty days
38 in the absence of any eligible list;

39 (2) Hours of work of police employees and officers
40 subject to the provisions of section 84.510; and

41 (3) Attendance regulations and leaves of absence.

86.200. The following words and phrases as used in
2 sections 86.200 to 86.366, unless a different meaning is
3 plainly required by the context, shall have the following
4 meanings:

5 (1) "Accumulated contributions", the sum of all
6 mandatory contributions deducted from the compensation of a
7 member and credited to the member's individual account,
8 together with members' interest thereon;

9 (2) "Actuarial equivalent", a benefit of equal value
10 when computed upon the basis of mortality tables and
11 interest assumptions adopted by the board of trustees;

12 (3) "Average final compensation":

13 (a) With respect to a member who earns no creditable
14 service on or after October 1, 2001, the average earnable
15 compensation of the member during the member's last three
16 years of creditable service as a police officer, or if the

17 member has had less than three years of creditable service,
18 the average earnable compensation of the member's entire
19 period of creditable service;

20 (b) With respect to a member who is not participating
21 in the DROP pursuant to section 86.251 on October 1, 2001,
22 who did not participate in the DROP at any time before such
23 date, and who earns any creditable service on or after
24 October 1, 2001, the average earnable compensation of the
25 member during the member's last two years of creditable
26 service as a policeman, or if the member has had less than
27 two years of creditable service, then the average earnable
28 compensation of the member's entire period of creditable
29 service;

30 (c) With respect to a member who is participating in
31 the DROP pursuant to section 86.251 on October 1, 2001, or
32 whose participation in DROP ended before such date, who
33 returns to active participation in the system pursuant to
34 section 86.251, and who terminates employment as a police
35 officer for reasons other than death or disability before
36 earning at least two years of creditable service after such
37 return, the portion of the member's benefit attributable to
38 creditable service earned before DROP entry shall be
39 determined using average final compensation as defined in
40 paragraph (a) of this subdivision; and the portion of the
41 member's benefit attributable to creditable service earned
42 after return to active participation in the system shall be
43 determined using average final compensation as defined in
44 paragraph (b) of this subdivision;

45 (d) With respect to a member who is participating in
46 the DROP pursuant to section 86.251 on October 1, 2001, or
47 whose participation in the DROP ended before such date, who
48 returns to active participation in the system pursuant to
49 section 86.251, and who terminates employment as a police

officer after earning at least two years of creditable service after such return, the member's benefit attributable to all of such member's creditable service shall be determined using the member's average final compensation as defined in paragraph (b) of this subdivision;

(e) With respect to a member who is participating in the DROP pursuant to section 86.251 on October 1, 2001, or whose participation in DROP ended before such date, who returns to active participation in the system pursuant to section 86.251, and whose employment as a police officer terminates due to death or disability after such return, the member's benefit attributable to all of such member's creditable service shall be determined using the member's average final compensation as defined in paragraph (b) of this subdivision; and

(f) With respect to the surviving spouse or surviving dependent child of a member who earns any creditable service on or after October 1, 2001, the average earnable compensation of the member during the member's last two years of creditable service as a police officer or, if the member has had less than two years of creditable service, the average earnable compensation of the member's entire period of creditable service;

(4) "Beneficiary", any person in receipt of a retirement allowance or other benefit;

(5) "Board of trustees", the board provided in sections 86.200 to 86.366 to administer the retirement system;

(6) "Creditable service", prior service plus membership service as provided in sections 86.200 to 86.366;

(7) "DROP", the deferred retirement option plan provided for in section 86.251;

82 (8) "Earnable compensation", the annual salary
83 [established under section 84.160 which] a member would earn
84 during one year on the basis of the member's rank or
85 position, plus any additional compensation for academic work
86 and shift differential, that [may be provided] is set by any
87 state or municipal body or official [or board] now or
88 hereafter authorized by law to employ and manage a permanent
89 police force in such cities. Such amount shall include the
90 member's deferrals to a deferred compensation plan pursuant
91 to Section 457 of the Internal Revenue Code or to a
92 cafeteria plan pursuant to Section 125 of the Internal
93 Revenue Code or, effective October 1, 2001, to a
94 transportation fringe benefit program pursuant to Section
95 132(f)(4) of the Internal Revenue Code. The term "earnable
96 compensation" shall not include a member's additional
97 compensation for overtime, standby time, court time,
98 nonuniform time or unused vacation time. Further, the term
99 "earnable compensation" shall not include any funds received
100 by a member through a judgment or settlement of a legal
101 action or claim made or threatened by the member against any
102 city not within a county if the funds are intended to
103 retroactively compensate the member for the salary
104 differential between the member's actual rank and the rank
105 the member claims he or she should have received.
106 Notwithstanding the foregoing, the earnable compensation
107 taken into account under the plan established pursuant to
108 sections 86.200 to 86.366 with respect to a member who is a
109 noneligible participant, as defined in this subdivision, for
110 any plan year beginning on or after October 1, 1996, shall
111 not exceed the amount of compensation that may be taken into
112 account under Section 401(a)(17) of the Internal Revenue
113 Code, as adjusted for increases in the cost of living, for
114 such plan year. For purposes of this subdivision, a

"noneligible participant" is an individual who first becomes a member on or after the first day of the first plan year beginning after the earlier of:

(a) The last day of the plan year that includes August 28, 1995; or

(b) December 31, 1995;

(9) "Internal Revenue Code", the federal Internal Revenue Code of 1986, as amended;

(10) "Mandatory contributions", the contributions required to be deducted from the salary of each member who is not participating in DROP in accordance with section 86.320;

(11) "Medical board", the health care organization appointed by the trustees of the police retirement board and responsible for arranging and passing upon all medical examinations required under the provisions of sections 86.200 to 86.366, which shall investigate all essential statements and certificates made by or on behalf of a member in connection with an application for disability retirement and shall report in writing to the board of trustees its conclusions and recommendations;

(12) "Member", a member of the retirement system as defined by sections 86.200 to 86.366;

(13) "Members' interest", interest on accumulated contributions at such rate as may be set from time to time by the board of trustees;

(14) "Membership service", service as a policeman rendered since last becoming a member, except in the case of a member who has served in the Armed Forces of the United States and has subsequently been reinstated as a policeman, in which case "membership service" means service as a policeman rendered since last becoming a member prior to entering such armed service;

148 (15) "Plan year" or "limitation year", the twelve
149 consecutive-month period beginning each October first and
150 ending each September thirtieth;

151 (16) "Policeman" or "police officer", any member of
152 the police force of such cities who holds a rank in such
153 police force;

154 (17) "Prior service", all service as a policeman
155 rendered prior to the date the system becomes operative or
156 prior to membership service which is creditable in
157 accordance with the provisions of sections 86.200 to 86.366;

158 (18) "Reserve officer", any member of the police
159 reserve force of such cities, armed or unarmed, who works
160 less than full time, without compensation, and who, by his
161 or her assigned function or as implied by his or her
162 uniform, performs duties associated with those of a police
163 officer and who currently receives a service retirement as
164 provided by sections 86.200 to 86.366;

165 (19) "Retirement allowance", annual payments for life
166 as provided by sections 86.200 to 86.366 which shall be
167 payable in equal monthly installments or any benefits in
168 lieu thereof granted to a member upon termination of
169 employment as a police officer and actual retirement;

170 (20) "Retirement system", the police retirement system
171 of the cities as defined in sections 86.200 to 86.366;

172 (21) "Surviving spouse", the surviving spouse of a
173 member who was the member's spouse at the time of the
174 member's death.

 87.140. 1. The general administration and the
2 responsibility for the proper operation of the retirement
3 system shall be vested in a board of trustees of nine
4 persons. The board shall be constituted as follows:

5 (1) The chief of the fire department of the city, ex
6 officio;

7 (2) The comptroller or deputy comptroller of the city,
8 ex officio;

9 (3) Two members to be appointed by the mayor of the
10 city to serve for a term of two years;

11 (4) Three members to be elected by the members of the
12 retirement system for a term of three years who shall be
13 members of the system and hold office only while members of
14 the system;

15 (5) Two members who shall be retired firemen to be
16 elected by the retired firemen of the city and who shall
17 hold office for a term of three years.

18 2. If a vacancy occurs in the office of trustee, the
19 vacancy shall be filled for the unexpired term in the same
20 manner as the office was previously filled.

21 3. The trustees shall serve without compensation, but
22 they shall be reimbursed from the expense fund for all
23 necessary expenses which they may incur through service on
24 the board.

25 4. Each trustee shall, within ten days after his
26 appointment or election, take an oath of office before the
27 clerk of circuit court of the city, that, so far as it
28 devolves upon him, he will diligently and honestly
29 administer the affairs of the board and that he will not
30 knowingly violate or willingly permit to be violated any of
31 the provisions of the law applicable to the retirement
32 system. The oath shall be subscribed to by the member
33 making it and certified by the clerk of circuit court and
34 filed in his office.

35 5. Each trustee shall be entitled to one vote on the
36 board. Five votes shall be necessary for a decision by the
37 trustees at any meeting of the board.

38 6. Notwithstanding any provision of sections 87.120 to
39 87.371 to the contrary, the board of trustees of the

40 retirement system shall not be prevented from simultaneously
41 acting as the trustees of any other pension plan that
42 provides retirement, disability, and death benefits for
43 firefighters employed by any city not within a county and
44 the firefighters' covered dependents. The administration of
45 the other pension plan shall be in accordance with the terms
46 of such pension plan. Nothing in this subsection shall
47 prevent the board of aldermen of a city not within a county
48 from adopting ordinances to govern the pensioning of
49 firefighters and such firefighters' covered dependents in
50 any other pension plan simultaneously administered by the
51 board of trustees of the retirement system.

87.145. The board of trustees shall have exclusive
2 original jurisdiction in all matters relating to or
3 affecting the funds herein provided for, including, in
4 addition to all other matters, all claims for benefits and
5 refunds under this law, and its action, decision or
6 determination in any matter shall be reviewable under
7 chapter 536 only, and any party to the proceedings shall
8 have a right of appeal from the decision of the reviewing
9 court. Subject to the limitations of sections 87.120 to
10 87.370, the board of trustees shall, from time to time,
11 establish rules and regulations for the administration of
12 funds created by this law, for the transaction of its
13 business, and for the limitation of the time within which
14 claims may be filed. The administration of any pension plan
15 other than the retirement system includes the ability of the
16 board of trustees, from time to time, to establish rules and
17 regulations for the administration of funds of such other
18 pension plan and for the transaction of such other pension
19 plan's business. Nothing in this section shall prevent the
20 board of aldermen of a city not within a county from
21 adopting ordinances to govern the pensioning of firefighters

22 and such firefighters' covered dependents in any other
23 pension plan simultaneously administered by the board of
24 trustees of the retirement system.

87.155. 1. The board of trustees shall keep in
2 convenient form such data as is necessary for actuarial
3 valuation of the funds of the retirement system and for
4 checking the experience of the system.

5 2. The board of trustees shall keep a record of all
6 its proceedings which shall be open to public inspection.
7 It shall publish annually a report showing the fiscal
8 transactions of the retirement system for the preceding
9 fiscal year, the amount of the accumulated cash and
10 securities of the system, and the last balance sheet showing
11 the financial condition of the system by means of an
12 actuarial valuation of the assets and liabilities of the
13 retirement system.

14 3. To the extent the board of trustees administers a
15 pension plan other than the retirement system, the board of
16 trustees shall maintain separate records of all proceedings
17 of such other pension plan.

87.260. The board of trustees of the firefighters'
2 retirement system shall have the exclusive authority and
3 discretion to invest and reinvest the funds in property of
4 any kind, real or personal. The board of trustees shall
5 invest and manage the fund as a prudent investor would, by
6 considering the purposes, terms, distribution requirements,
7 and other circumstances of the firefighters' retirement
8 system. In satisfying this standard, the board of trustees
9 shall exercise reasonable care, skill, and caution. No
10 trustee shall have any interest as a trustee in the gains or
11 profits made on any investment, except benefits from
12 interest in investments common to all members of the plan,
13 if entitled thereto. To the extent the board of trustees

14 administers a pension plan other than the retirement system,
15 the board of trustees shall also have the authority and
16 discretion to invest and reinvest the funds of such other
17 pension plan in property of any kind, real or personal. The
18 board of trustees may choose to invest the funds of the
19 retirement system and the funds of the other pension plan in
20 the same investments so long as the amounts invested and the
21 gains, profits, or losses on such investments are accounted
22 for separately. No benefits due to the firefighters or such
23 firefighters' covered dependents from the other pension plan
24 shall be paid from the funds of the retirement system.
25 Nothing in this section shall prevent the board of aldermen
26 of a city not within a county from adopting ordinances to
27 govern the pensioning of firefighters and such firefighters'
28 covered dependents in any other pension plan simultaneously
29 administered by the board of trustees of the retirement
30 system.

87.350. The expense fund shall be the fund to which
2 shall be credited all money provided to pay the
3 administration expenses of the retirement system and from
4 which shall be paid all the expenses necessary in connection
5 with the administration and operation of the system.
6 Annually the board of trustees shall estimate the amount of
7 money necessary to be paid into the expense fund during the
8 ensuing year to provide for the expense of operation of the
9 retirement system. Such estimate shall be provided by the
10 board of trustees from interest and other earnings on assets
11 of the retirement system. In no event shall any expenses,
12 including administrative expenses, incurred by the board of
13 trustees in the administration of any pension plan other
14 than the retirement system or in the investment of any funds
15 of any pension plan other than the retirement system be paid
16 from the funds of the retirement system. Such expenses

17 shall be paid entirely from the funds of the other pension
18 plan.

105.688. The assets of a system may be invested,
2 reinvested and managed by an investment fiduciary subject to
3 the terms, conditions and limitations provided in sections
4 105.687 to 105.689. An investment fiduciary shall discharge
5 his or her duties in the interest of the participants in the
6 system and their beneficiaries and shall:

7 (1) Act with the same care, skill, prudence, and
8 diligence under the circumstances then prevailing that a
9 prudent person acting in a similar capacity and familiar
10 with those matters would use in the conduct of a similar
11 enterprise with similar aims;

12 (2) Act with due regard for the management,
13 reputation, and stability of the issuer and the character of
14 the particular investments being considered;

15 (3) Make investments for the purposes of providing
16 benefits to participants and participants' beneficiaries,
17 and of defraying reasonable expenses of investing the assets
18 of the system;

19 (4) Give appropriate consideration to those facts and
20 circumstances that the investment fiduciary knows or should
21 know are relevant to the particular investment or investment
22 course of action involved, including the role of the
23 investment or investment course of action plays in that
24 portion of the system's investments for which the investment
25 fiduciary has responsibility. For purposes of this
26 subdivision, "appropriate consideration" shall include, but
27 is not necessarily limited to a determination by the
28 investment fiduciary that a particular investment or
29 investment course of action is reasonably designed, as part
30 of the investments of the system, to further the purposes of
31 the system, taking into consideration the risk of loss and

the opportunity for gain or other return associated with the investment or investment course of action; and consideration of the following factors as they relate to the investment or investment course of action:

(a) The diversification of the investments of the system;

(b) The liquidity and current return of the investments of the system relative to the anticipated cash flow requirements of the system; and

(c) The projected return of the investments of the system relative to the funding objectives of the system;

(5) Give appropriate consideration to investments which would enhance the general welfare of this state and its citizens if those investments offer the safety and rate of return comparable to other investments available to the investment fiduciary at the time the investment decision is made;

(6) Not be prohibited from closing records to the extent that such records relate to information submitted by an individual, corporation, or other business entity in connection with investments in or financial transactions with business entities for investment purposes;

(7) Not consider environmental, social, or governance characteristics in a manner that would override his or her fiduciary duties as defined in this section;

(8) Not be subject to any legislative, regulatory, or other mandates to invest with environmentally, socially, or other noneconomically motivated influence unless they are consistent with the fiduciary's responsibility as provided in this section or as provided in the system's governing statutes with respect to the investment of system assets or other duties imposed by law relating to the investment, management, deposit, or custody of system assets; and

65 (9) Not be subject to any legislative, regulatory, or
66 other mandates for divestment from any indirect holdings in
67 actively or passively managed investment funds or in private
68 assets.

105.692. 1. All shares of common stock held directly
2 by a system, as defined under section 105.687, shall be
3 voted solely in the economic interest of plan participants.
4 Voting shares for the purposes of furthering noneconomic
5 environmental, social, political, ideological, or other
6 goals is prohibited.

7 2. A system shall vote all proxies associated with its
8 directly held shares of common stock by one of the following
9 methods:

10 (1) By internal system staff; or

11 (2) By an investment manager or proxy voting service
12 provider who has committed in writing to vote the shares
13 pursuant to proxy voting guidelines chosen by the system or
14 has committed in writing to vote the shares in a manner
15 consistent with the obligation to act solely in the economic
16 interest of plan participants.

105.693. 1. As used in this section, the following
2 terms mean:

3 (1) "Board", the governing board or decision-making
4 body of a system that is authorized by law to administer the
5 system;

6 (2) "Control":

7 (a) The same meaning as such term is defined in the
8 Investment Company Act of 1940, 15 U.S.C. Section 80a-2(a);
9 or

10 (b) Involvement in an entity's governance structure,
11 monitoring, or internal human resources decisions consistent
12 with the objectives set out in the Opinion on Strengthening
13 the United Front Work of the Private Economy in the New Era

14 issued by the General Office of the Central Committee of the
15 Chinese Communist Party (2020) or a successor or similar
16 document;

17 (3) "Divest", a sale, redemption, replacement, or any
18 other activity that terminates an investment;

19 (4) "Fund", the retirement benefit fund of a system;

20 (5) "Investment", any investment, as such term is
21 defined in section 105.687, that the board or system is
22 authorized to make;

23 (6) "Person", an individual or entity;

24 (7) "Restricted entity", the following, including
25 wholly-owned subsidiaries, majority-owned subsidiaries,
26 parent companies, and affiliates that exist for profit-
27 making purposes:

28 (a) Any person, other than a U.S. person, as the term
29 "U.S. person" is defined in 15 CFR 772.1, that is identified
30 for the People's Republic of China on the Entity List,
31 Supplement No. 4 to 15 CFR Part 744, as a person reasonably
32 believed to be involved, or to pose a significant risk of
33 being or becoming involved, in activities contrary to the
34 national security or foreign policy interests of the United
35 States until the End-User Review Committee of the Bureau of
36 Industry and Security in the United States Department of
37 Commerce determines that the person no longer meets that
38 criteria and removes the person from the list;

39 (b) Any person that:

40 a. The United States Secretary of Defense has listed
41 as a Communist Chinese military company operating directly
42 or indirectly in the United States or in any of its
43 territories or possessions under Section 1237 of the Strom
44 Thurmond National Defense Authorization Act of Fiscal Year
45 1999, P.L. 105-261, as amended by Section 1233 of P.L. 106-
46 398 and Section 1222 of P.L. 108-375, 50 U.S.C. Section 1701

note, until such time as the United States Secretary of Defense removes the person from such list;

b. The United States Secretary of Defense, in consultation with the United States Secretary of the Treasury, determines is a Communist Chinese military company operating directly or indirectly in the United States or in any of its territories or possessions and therefore lists as such under Section 1237 of the Strom Thurmond National Defense Authorization Act of Fiscal Year 1999, P.L. 105-261, as amended by Section 1233 of P.L. 106-398 and Section 1222 of P.L. 108-375, 50 U.S.C. Section 1701 note, until such time as the United States Secretary of Defense removes the person from such list; or

c. The United States Secretary of the Treasury publicly lists as meeting the criteria in Section 1237(b)(4)(B) of the Strom Thurmond National Defense Authorization Act of Fiscal Year 1999, P.L. 105-261, as amended by Section 1222 of P.L. 108-375, 50 U.S.C. Section 1701 note, or publicly lists as a subsidiary of a person already determined to be a Communist Chinese military company, until the United States Secretary of the Treasury determines that the person no longer meets that criteria and removes the person from such list;

(c) Any organization or citizen that is identified by the appropriate government agencies to be required by the National Intelligence Law of the People's Republic of China (2017), as amended in 2018, or any successor to support, assist, and cooperate with the state intelligence work of the People's Republic of China and keep the secrets of the national intelligence work of the People's Republic of China; or

(d) Any person that is listed on the Specially Designated Nationals and Blocked Persons List published by

80 the Office of Foreign Assets Control of United States
81 Department of the Treasury;

82 (8) "Restricted investment product", an investment
83 product that:

84 (a) Is managed by one or more persons:

85 a. That are not employed by the system; and

86 b. In which the system on behalf of the fund owns
87 investments together with investors other than the system;
88 and

89 (b) Holds investments in a restricted entity;

90 (9) "System", any state or local public retirement
91 system or plan established by the state or any political
92 subdivision or instrumentality of the state for the purpose
93 of providing plan benefits for elected or appointed public
94 officials or employees of the state or any political
95 subdivision or instrumentality of the state.

96 2. After August 28, 2025, a system shall not knowingly
97 invest in a restricted entity or a restricted investment
98 product and shall divest any investment that the system has
99 on behalf of a fund in accordance with this section.

100 3. Before December 1, 2025, and at least annually on
101 or before December first of each subsequent year, the board
102 shall make a good faith effort to identify all restricted
103 entities and restricted investment products in which the
104 system holds an investment. The board may use an
105 independent research firm to assist the board.

106 4. (1) If the board determines after a review under
107 subsection 3 of this section that the system has investments
108 in a restricted entity or a restricted investment product,
109 the board shall establish a plan to divest the investment
110 and complete the divestment as soon as financially prudent.
111 Except as provided in subdivision (2) of this subsection,

the investment shall be divested no later than August 28,
2026.

(2) The investment may be divested after August 28,
2026, but shall be divested no later than August 28, 2028,
if the board finds that the following conditions exist:

(a) The divestment of the investment by August 28,
2026, would result in the system incurring aggregate
transaction costs in excess of five hundred thousand dollars;

(b) The selling of global public equity interests
would result in a loss on secondary markets; or

(c) The divestment of the investment by August 28,
2026, would otherwise fail to comply with federal or state
law or other legal obligations.

5. Prior to divesting any commingled fund required by
this section in which the divestment would result in a
realized loss, the staff of the system shall notify the
board and if, within two business days, a majority of the
trustees of the board object, no further action shall be
taken until a special or regular meeting of the board.

6. The board shall determine whether to cease or defer
divestment in the entity or product initiated under this
section and resume investment in the entity or product
during any period in which the entity or product has not
returned to being a restricted entity or restricted
investment product if any of the following conditions are
met:

(1) The entity or product meets or exceeds the rules
and standards of the Public Company Accounting Oversight
Board and the Sarbanes-Oxley Act of 2002, P.L. 107-204, 116
Stat. 745; or

(2) The board determines that a fund has holdings in a
passively managed commingled fund that includes a restricted
entity and the estimated cost of divestment of the

145 commingled fund is greater than ten percent of the total
146 value of the restricted entities held in the commingled fund.

147 7. (1) On or before December 31, 2025, and annually
148 on or before December thirty-first of each subsequent year,
149 the board shall submit a report to the general assembly.

150 (2) The report shall include at least the following
151 information, as of the date of the report:

152 (a) A copy of the restricted entity list;

153 (b) All publicly traded securities sold, redeemed,
154 divested, or withdrawn in compliance with this section;

155 (c) All commingled funds that are exempted from
156 divestment under subsection 5 or 6 of this section; and

157 (d) Any progress made under subsection 6 of this
158 section.

159 8. With respect to actions taken in compliance with
160 this section, including all good faith determinations
161 regarding restricted entities and restricted investment
162 products, the board and the system are exempt from any
163 conflicting statutory or common law obligations, including
164 any obligations with respect to choice of asset managers,
165 investment fiduciaries, investment funds, or investments for
166 fund investment portfolios.

167 9. The state and any political subdivision of the
168 state; its officers, agents, and employees; and the board
169 and employees of a system shall be immune from civil
170 liability for any act or omission related to the removal of
171 an asset from a fund under this section and are entitled to
172 indemnification from the system for all losses, costs, and
173 expenses, including reasonable attorney's fees, associated
174 with defending against any claim or suit relating to an act
175 authorized under this section.

176 10. (1) Notwithstanding any provision of law to the
177 contrary, the provisions of this section do not apply to
178 investments in private market funds.

179 (2) Notwithstanding any provision of law to the
180 contrary, the provisions of this section do not apply to
181 indirect holdings in actively managed investment funds.

182 (3) If a manager or investment fiduciary creates a
183 similar actively managed investment fund without the
184 restricted entities, the board shall replace all applicable
185 investments with the investments in the similar actively
186 managed investment fund within a period consistent with
187 prudent investing standards.

169.450. 1. The general administration and
2 responsibility for the proper operation of the retirement
3 system and for making effective the provisions of sections
4 169.410 to 169.540 are hereby vested in a board of trustees
5 of **[eleven]** thirteen persons, as follows:

6 (1) Four trustees to be appointed for terms of four
7 years by the board of education; provided, however, that
8 their terms shall be fixed so the terms of one of the
9 trustees so appointed shall expire each year. The members
10 of such board of trustees appointed by the board of
11 education may be members of the board of education or other
12 individuals deemed qualified to hold such positions by the
13 board of education;

14 (2) Four trustees to be elected for terms of four
15 years by and from the active members of the retirement
16 system who shall hold office as trustees only while active
17 members; provided, however, that their terms shall be fixed
18 so that the terms of one of the trustees so elected shall
19 expire each year; and provided further, that not more than
20 two of such persons shall be teachers and two shall be
21 nonteachers. For the purposes of this subsection, a school

22 administrator shall not be eligible for the positions
23 established pursuant to this subdivision and shall be
24 eligible for the position established pursuant to
25 subdivision (4) of this subsection;

26 (3) Two trustees, who shall be retired members, to be
27 elected for terms of four years by and from the retired
28 members of the retirement system; provided, however, that
29 the terms of office of the first two trustees so elected
30 shall begin immediately upon their election and shall expire
31 two and four years from the date of their election,
32 respectively; and provided further, that not more than one
33 of such persons shall be a teacher and one shall be a
34 nonteacher;

35 (4) One member, who shall be a school administrator,
36 to be elected for a term of four years by and from the
37 active members of the retirement system who shall hold
38 office as a trustee only while an active member; except
39 that, the initial term of office of such trustee shall
40 expire on December 31, 1999;

41 (5) Two trustees to be appointed for terms of four
42 years by the Missouri Public Charter School Association;
43 provided, however, that the terms of office of the first two
44 trustees so elected shall begin immediately upon their
45 election and shall expire two and four years from the date
46 of their election, respectively. The members of such board
47 of trustees appointed by the Missouri Public Charter School
48 Association shall have experience or qualifications relevant
49 to public charter schools and the retirement system, and at
50 least one such member shall be a teacher. The appointment
51 of the trustees shall be subject to the same rules and
52 regulations applicable to other trustees, including, but not
53 limited to, taking an oath of office as provided in
54 subsection 5 of this section.

55 2. If a vacancy occurs in the office of trustee, the
56 vacancy shall be filled for the unexpired term in the same
57 manner as the office was previously filled. No vacancy or
58 vacancies on the board of trustees shall impair the power of
59 the remaining trustees to administer the retirement system
60 pending the filling of such vacancies.

61 3. In the event of a lapse of a school district's
62 corporate organization as described in subsections 1 and 4
63 of section 162.081, or for any other reason, the general
64 administration and the responsibility for the proper
65 operation of the retirement system shall continue to be
66 fully vested in the trustees then currently serving and such
67 trustees shall continue to serve and be elected in the same
68 manner as set forth in this statute as if no lapse had
69 occurred, except that in the event of vacancies occurring in
70 the office of trustees appointed by the board of education
71 prior to the lapse, the board of trustees shall appoint a
72 qualified person or persons to fill such vacancy or
73 vacancies for terms of up to four years.

74 4. Trustees shall serve without compensation, and any
75 trustee shall be reimbursed from the expense fund for all
76 necessary expenses which the trustee may incur through
77 service on the board of trustees.

78 5. Each trustee shall, within ten days after such
79 trustee's appointment or election, take an oath of office
80 before the clerk of the circuit court of the judicial
81 circuit in which the school district is located that, so far
82 as it devolves upon the trustee, the trustee will diligently
83 and honestly administer the affairs of the board of trustees
84 and that the trustee will not knowingly violate or willingly
85 permit to be violated any of the provisions of the law
86 applicable to the retirement system. Such oath shall be

87 subscribed to by the trustee making it and filed in the
88 office of the clerk of the circuit court.

89 6. The circuit court of the judicial circuit in which
90 the school district is located shall have jurisdiction over
91 the members of the board of trustees to require them to
92 account for their official conduct in the management and
93 disposition of the funds and property committed to their
94 charge; to order, decree and compel payment by them to the
95 public school retirement system of their school district of
96 all sums of money, and of the value of all property which
97 may have been improperly retained by them, or transferred to
98 others, or which may have been lost or wasted by any
99 violation of their duties or abuse of their powers as such
100 members of such board; to remove any such member upon proof
101 that the trustee has abused the trustee's trust or has
102 violated the duties of the trustee's office; to restrain and
103 prevent any alienation or disposition of property of such
104 public school retirement system by the members, in cases
105 where it may be threatened, or there is good reason to
106 apprehend that it is intended to be made in fraud of the
107 rights and interests of such public school retirement
108 system. The jurisdiction conferred by sections 169.410 to
109 169.540 shall be exercised as in ordinary cases upon
110 petition, filed by the board of education of such school
111 district, or by any two members of the board of trustees.
112 Such petition shall be heard in a summary manner after ten
113 days' notice in writing to the member complained of, and an
114 appeal shall lie from the judgment of the circuit court as
115 in other causes and be speedily determined, but such appeal
116 shall not operate under any condition as a supersedeas of a
117 judgment of removal from office.

118 7. Each trustee shall be entitled to one vote in the
119 board of trustees. Six votes shall be necessary for a

120 decision by the trustees at any meeting of the board of
121 trustees.

122 8. Subject to the limitations of sections 169.410 to
123 169.540, the board of trustees shall, from time to time,
124 establish rules and regulations for the administration of
125 the retirement system, for eligibility for and determination
126 of benefits under the retirement system, for the investment
127 of retirement system assets, and for the transaction of the
128 retirement system's business.

129 9. The board of trustees shall elect from its
130 membership a chairman and shall, by majority vote of its
131 members, appoint a secretary, who may be, but need not be,
132 one of its members. It shall engage such actuarial and
133 other services as shall be required to transact the business
134 of the retirement system. It shall also engage an
135 investment counselor who shall be experienced in the
136 investment of moneys to advise the trustees on investments
137 of the retirement system. The compensation of all persons
138 engaged by the board of trustees and all other expenses of
139 the board necessary for the operation of the retirement
140 system shall be paid at such rates and in such amounts as
141 the board of trustees shall approve.

142 10. The board of trustees shall keep in convenient
143 form such data as shall be necessary for actuarial
144 valuations of the assets of the retirement system and for
145 checking the experience of the system.

146 11. The board of trustees shall keep a record of all
147 its proceedings which shall be open to public inspection.
148 It shall prepare annually and send to the board of education
149 and to each member of the retirement system a report showing
150 the fiscal transactions of the retirement system for the
151 preceding fiscal year, a detailed listing of all salaries
152 and expenditures incurred by the trustees for its operation,

the amount of the accumulated cash and securities of the system, and the last balance sheet showing the financial condition of the system by means of an actuarial valuation of the assets and liabilities of the retirement system. The board of trustees shall also prepare or cause to be prepared an annual report concerning the operation of the retirement system herein provided for, which report shall be sent by the chairman of the board of trustees to the board of education.

12. The board of trustees shall arrange for necessary legal advice for the operation of the retirement system.

13. The board of trustees shall designate a medical board to be composed of three physicians, none of whom shall be eligible for benefits pursuant to sections 169.410 to 169.540, who shall arrange for and pass upon all medical examinations required pursuant to the provisions of sections 169.410 to 169.540, shall investigate all essential statements and certificates made by or on behalf of a member in connection with an application for disability retirement and shall report in writing to the board of trustees its conclusions and recommendations upon all matters referred to it.

14. The actuary shall be the technical adviser of the board of trustees on matters regarding the operation of the system created by sections 169.410 to 169.540 and shall perform such other duties as are required in connection therewith. Such person shall be qualified as an actuary by membership as a fellow in the Society of Actuaries or by objective standards which are no less stringent than those established by the Society of Actuaries.

15. At least once in each five-year period the actuary shall make an investigation into the actuarial experience of the retirement system, and taking into account the results

186 of such investigation of the experience, the board of
187 trustees shall adopt for the retirement system such
188 actuarial assumptions as shall be deemed necessary.

189 16. On the basis of such actuarial assumptions as the
190 board of trustees shall adopt, the actuary shall make an
191 annual valuation of the assets and liabilities of the funds
192 of the retirement system.

193 17. On the basis of the valuation the board of
194 trustees shall certify the rates of contribution payable by
195 the board of education.

169.490. 1. All the assets of the retirement system
2 shall be held as one fund.

3 2. (1) For any member hired before January 1, 2018,
4 the employing board shall cause to be deducted from the
5 compensation of each member at every payroll period five
6 percent of his or her compensation.

7 (2) Beginning January 1, 2018, the percentage in
8 subdivision (1) of this subsection shall increase one-half
9 of one percent annually until such time as the percentage
10 equals nine percent.

11 (3) For any member hired for the first time on or
12 after January 1, 2018, the employing board shall cause to be
13 deducted from the compensation of each member at every
14 payroll period nine percent of such member's compensation.

15 (4) The amounts so deducted shall be transferred to
16 the board of trustees and credited to the individual account
17 of each member from whose compensation the deduction was
18 made. In determining the amount earnable by a member in any
19 payroll period, the board of trustees may consider the rate
20 of earnable compensation payable to such member on the first
21 day of the payroll period as continuing throughout such
22 payroll period; it may omit deduction from compensation for
23 any period less than a full payroll period if the employee

24 was not a member on the first day of the payroll period; and
25 to facilitate the making of the deductions, it may modify
26 the deduction required of any member by such amount as shall
27 not exceed one-tenth of one percent of the compensation upon
28 the basis of which such deduction was made.

29 (5) The deductions provided for herein are declared to
30 be a part of the salary of the member and the making of such
31 deductions shall constitute payments by the member out of
32 his or her salary or earnings and such deductions shall be
33 made notwithstanding that the minimum compensation provided
34 by law for any member shall be reduced thereby. Every
35 member shall be deemed to consent to the deductions made and
36 provided for herein, and shall receipt for his or her full
37 salary or compensation, and the making of said deductions
38 and the payment of salary or compensation less said
39 deduction shall be a full and complete discharge and
40 acquittance of all claims and demands whatsoever for
41 services rendered during the period covered by the payment
42 except as to benefits provided by sections 169.410 to
43 169.540.

44 (6) The employing board may elect to pay member
45 contributions required by this section as an employer pick
46 up of employee contributions under Section 414(h)(2) of the
47 Internal Revenue Code of 1986, as amended, and such
48 contributions picked up by the employing board shall be
49 treated as contributions made by members for all purposes of
50 sections 169.410 to 169.540.

51 3. If a retired member receiving a pension pursuant to
52 sections 169.410 to 169.540 is restored to active service
53 and again becomes an active member of the retirement system,
54 there shall be credited to his or her individual account an
55 amount equal to the excess, if any, of his or her

56 accumulated contributions at retirement over the total
57 pension benefits paid to him or her.

58 4. [Annually, the actuary for the retirement system
59 shall calculate each employer's contribution as an amount
60 equal to a certain percentage of the total compensation of
61 all members employed by that employer. The percentage shall
62 be fixed on the basis of the liabilities of the retirement
63 system as shown by the annual actuarial valuation. The
64 annual actuarial valuation shall be made on the basis of
65 such actuarial assumptions and the actuarial cost method
66 adopted by the board of trustees, provided that the
67 actuarial cost method adopted shall be in accordance with
68 generally accepted actuarial standards and that the unfunded
69 actuarial accrued liability, if any, shall be amortized by
70 level annual payments over a period not to exceed thirty
71 years. The provisions of this subsection shall expire on
72 December 31, 2017; thereafter subsection 5 of this section
73 shall apply.

74 5.1 For calendar year 2018, the rate of contribution
75 payable by each employer shall equal sixteen percent of the
76 total compensation of all members employed by that
77 employer. For each calendar year thereafter, the percentage
78 rate of contribution payable by each employer of the total
79 compensation of all members employed by that employer shall
80 decrease one-half of one percent annually until calendar
81 year [2032] 2025 when the rate of contribution payable by
82 each employer shall equal [nine] twelve and one-half percent
83 of the total compensation of all members employed by that
84 employer. For [subsequent] calendar [years] year 2026 and
85 each calendar year after [2032] 2026, the rate of
86 contribution payable by each employer shall equal [nine]
87 fourteen percent of the total compensation of all members
88 employed by that employer.

89 [6.] 5. The expense and contingency reserve shall be a
90 reserve for investment contingencies and estimated expenses
91 of administration of the retirement system as determined
92 annually by the board of trustees.

93 [7.] 6. Gifts, devises, bequests and legacies may be
94 accepted by the board of trustees to be held and invested as
95 a part of the assets of the retirement system and shall not
96 be separately accounted for except where specific direction
97 for the use of a gift is made by a donor.

 488.435. 1. Sheriffs shall receive a charge, as
2 provided in section 57.280, for service of any summons, writ
3 or other order of court, in connection with any civil case,
4 and making on the same either a return indicating service, a
5 non est return or a nulla bona return, the sum of twenty
6 dollars for each item to be served, as provided in section
7 57.280, except that a sheriff shall receive a charge for
8 service of any subpoena, and making a return on the same,
9 the sum of ten dollars, as provided in section 57.280;
10 however, no such charge shall be collected in any proceeding
11 when court costs are to be paid by the state, county or
12 municipality. In addition to such charge, the sheriff shall
13 be entitled, as provided in section 57.280, to receive for
14 each mile actually traveled in serving any summons, writ,
15 subpoena or other order of court, the rate prescribed by the
16 Internal Revenue Service for all allowable expenses for
17 motor vehicle use expressed as an amount per mile, provided
18 that such mileage shall not be charged for more than one
19 subpoena or summons or other writ served in the same cause
20 on the same trip. All of such charges shall be received by
21 the sheriff who is requested to perform the service. Except
22 as otherwise provided by law, all charges made pursuant to
23 section 57.280 shall be collected by the court clerk as
24 court costs and are payable prior to the time the service is

rendered; provided that if the amount of such charge cannot be readily determined, then the sheriff shall receive a deposit based upon the likely amount of such charge, and the balance of such charge shall be payable immediately upon ascertainment of the proper amount of such charge. A sheriff may refuse to perform any service in any action or proceeding, other than when court costs are waived as provided by law, until the charge provided by this section is paid. Failure to receive the charge shall not affect the validity of the service.

2. The sheriff shall, as provided in section 57.280, receive for receiving and paying moneys on execution or other process, where lands or goods have been levied and advertised and sold, five percent on five hundred dollars and four percent on all sums above five hundred dollars, and half of these sums, when the money is paid to the sheriff without a levy, or where the lands or goods levied on shall not be sold and the money is paid to the sheriff or person entitled thereto, his or her agent or attorney. The party at whose application any writ, execution, subpoena or other process has issued from the court shall pay the sheriff's costs, as provided in section 57.280, for the removal, transportation, storage, safekeeping and support of any property to be seized pursuant to legal process before such seizure. The sheriff shall be allowed for each mile, as provided in section 57.280, going and returning from the courthouse of the county in which he or she resides to the place where the court is held, the rate prescribed by the Internal Revenue Service for all allowable expenses for motor vehicle use expressed as an amount per mile. The provisions of this subsection shall not apply to garnishment proceeds.

57 3. As provided in subsection 4 of section 57.280, [the
58 sheriff shall receive ten dollars] for service of any
59 summons, writ, subpoena, or other order of the court
60 included under subsection 1 of section 57.280, in addition
61 to the charge for such service that each sheriff receives
62 under subsection 1 of section 57.280, the sheriff of any
63 county of the first, second, or fourth classification or
64 with a charter form of government shall receive twenty
65 dollars and the sheriff of any county of the third
66 classification shall receive fifteen dollars. The money
67 received by the sheriff under subsection 4 of section 57.280
68 shall be paid into the county treasury and the county
69 treasurer shall make such money payable to the state
70 treasurer. As provided in subdivision (2) or (3) of
71 subsection 4 of section 57.280, the state treasurer shall
72 deposit such moneys in the deputy sheriff salary
73 supplementation fund created under section 57.278 or the
74 sheriffs' retirement fund created under section 57.952.

75 4. As provided in subsection 5 of section 57.280, the
76 court clerk shall collect ten dollars as a court cost for
77 service of any summons, writ, subpoena, or other order of
78 the court included under subsection 1 of this section if any
79 person other than a sheriff is specially appointed to serve
80 in a county that receives funds under section 57.278. The
81 moneys received by the clerk under this subsection shall be
82 paid into the county treasury and the county treasurer shall
83 make such moneys payable to the state treasurer. The state
84 treasurer shall deposit such moneys in the deputy sheriff
85 salary supplementation fund created under section 57.278.

 [57.955. 1. There shall be assessed and
2 collected a surcharge of three dollars in all
3 civil actions filed in the courts of this state
4 and in all criminal cases including violation of
5 any county ordinance or any violation of
6 criminal or traffic laws of this state,

7 including infractions, but no such surcharge
8 shall be assessed when the costs are waived or
9 are to be paid by the state, county or
10 municipality or when a criminal proceeding or
11 the defendant has been dismissed by the court.
12 For purposes of this section, the term "county
13 ordinance" shall not include any ordinance of
14 the city of St. Louis. The clerk responsible
15 for collecting court costs in civil and criminal
16 cases, shall collect and disburse such amounts
17 as provided by sections 488.010 to 488.020.
18 Such funds shall be payable to the sheriffs'
19 retirement fund. Moneys credited to the
20 sheriffs' retirement fund shall be used only for
21 the purposes provided for in sections 57.949 to
22 57.997 and for no other purpose.

23 2. The board may accept gifts, donations,
24 grants and bequests from public or private
25 sources to the sheriffs' retirement fund.]

[57.962. Other provisions of law to the
2 contrary notwithstanding, any county or city not
3 within a county who has elected or elects in the
4 future to come under the provisions of sections
5 57.949 to 57.997 shall, after August 28, 2002,
6 or on the date that such election is approved by
7 the board of directors of the retirement system,
8 whichever later occurs, be subject to the
9 provisions of section 57.955.]

[483.088. Each circuit clerk shall prepare
2 a summary of all amounts collected pursuant to
3 section 57.955 during the preceding calendar
4 year and shall annually, by July first of the
5 succeeding year, send a copy of such summary to
6 the state auditor.]

[488.024. As provided by section 57.955,
2 there shall be assessed and collected a
3 surcharge of three dollars in all civil actions
4 filed in the courts of this state and in all
5 criminal cases including violation of any county
6 ordinance or any violation of criminal or
7 traffic laws of this state, including
8 infractions, but no such surcharge shall be
9 assessed when the costs are waived or are to be
10 paid by the state, county or municipality or

11 when a criminal proceeding or the defendant has
12 been dismissed by the court. For purposes of
13 this section, the term "county ordinance" shall
14 not include any ordinance of the City of St.
15 Louis. The clerk responsible for collecting
16 court costs in civil and criminal cases shall
17 collect and disburse such amounts as provided by
18 sections 488.010 to 488.020. Such funds shall
19 be payable to the sheriffs' retirement fund.]