

SECOND REGULAR SESSION

SENATE BILL NO. 842

96TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR LAMPING.

Read 1st time February 27, 2012, and ordered printed.

TERRY L. SPIELER, Secretary.

5194S.03I

AN ACT

To repeal sections 169.030, 169.070, 169.620, and 169.670, RSMo, and to enact in lieu thereof four new sections relating to teacher and school employee retirement systems, with existing penalty provisions and an emergency clause.

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

Section A. Sections 169.030, 169.070, 169.620, and 169.670, RSMo, are
2 repealed and four new sections enacted in lieu thereof, to be known as sections
3 169.030, 169.070, 169.620, and 169.670, to read as follows:

169.030. 1. The funds required for the operation of the retirement system
2 created by sections 169.010 to 169.141 shall come from contributions made in
3 equal amounts by members of the system and their employers, except as provided
4 for certain members and employers by section 104.342, and from such interest as
5 may be derived from the investment of any part of such contributions. All
6 contributions shall be transmitted to the board of trustees by employers in such
7 manner and at such time as the board by rule shall require.

8 2. For each school year following the date on which the system becomes
9 operative, each and every employer of one or more persons who are members of
10 the system shall transmit to the board of trustees, in the manner and
11 accompanied by such supporting data as the board shall prescribe, twice the
12 amount that is deductible from the pay of such employee or employees during the
13 school year. Failure or refusal to transmit such amount as required shall render
14 the person or persons responsible therefor individually liable for twice the
15 amount so withheld. Suits for the recovery of amounts for which individuals are
16 thus rendered liable shall be instituted and prosecuted by the board of trustees
17 in the name of the retirement system. In addition to such civil penalty, and not

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

18 in lieu thereof, any person or persons made responsible for the payment of
19 contributions who shall willfully and knowingly fail or refuse to transmit such
20 contributions or any part thereof to the board of trustees shall be deemed guilty
21 of a misdemeanor and upon conviction thereof shall be punished by a fine of not
22 less than twenty-five dollars and not more than two hundred dollars, and each
23 day such person or persons shall so fail or refuse to transmit such contributions
24 shall be deemed a separate offense.

25 3. The contributions of members of the retirement system shall be
26 collected by their employers through appropriate deductions from paychecks,
27 except as provided for certain members and employers by section 104.342. The
28 total amount deducted from the paychecks of members during any school year
29 shall equal such a percent of their salary rates as may be required by the
30 contribution rate then in effect. Contributions transmitted to the retirement
31 system before February 20, 1996, based on salary rates which either included or
32 excluded employer-paid medical benefits for members, shall be deemed to have
33 been in compliance with this section. The retirement system shall not refund or
34 adjust contributions or adjust benefit determinations with respect to any period
35 before February 20, 1996, solely because of the treatment of employer-paid
36 medical benefits for members. Effective December 31, 1995, compensation in
37 excess of the limitations set forth in Section 401(a)(17) of Title 26 of the United
38 States Code shall be disregarded for purposes of determining contributions under
39 this section and calculating benefits paid by the public school retirement system
40 of Missouri. The limitation on compensation for eligible employees shall not be
41 less than the amount which was allowed to be taken into account under the
42 system as in effect on July 1, 1993. For this purpose, an "eligible employee" is an
43 individual who was a member of the system before July 1, 1996.

44 4. The board of trustees shall fix and certify to the employers the level
45 rate of contribution subject to the following:

46 (1) The level rate of contribution for a fiscal year shall not exceed the level
47 rate of contribution for the prior fiscal year by more than one-half percent,
48 **except that beginning in the 2012-2013 school year, the employee and**
49 **employer contribution rates shall be fixed at the rate certified for the**
50 **2011-2012 school year rate until the system experiences a funded ratio,**
51 **as defined in section 105.660, of at least one hundred percent;**

52 (2) The board shall fix and certify to the employers the rate of
53 contribution for a fiscal year no later than six months prior to the date such rate

54 is to be effective;

55 (3) The board shall fix and certify to the employers the rate of
56 contribution for a fiscal year based on an actuarial valuation of the system as of
57 a date not earlier than the last day of the second prior fiscal year, **except that**
58 **the actuarial valuation shall not be used to fix the contribution rates**
59 **so long as the contribution rates are fixed at the 2011-2012 school year**
60 **rate, as provided in subdivision (1) of this subsection.** Such actuarial
61 valuation of the system shall be performed using processes and actuarial
62 assumptions that are in accordance with actuarial standards of practice in effect
63 at the time the valuation is performed, as promulgated by the actuarial standards
64 board or its successor; provided that such actuarial valuation shall be based on
65 the entry age normal actuarial cost method and an asset valuation method based
66 on the market value of system assets that may provide for smoothing of
67 investment gains and losses, and, further, that the level rate of contribution shall
68 be the total of the normal cost rate and a rate which shall amortize the unfunded
69 actuarial accrued liability over a period that shall not exceed thirty years [from
70 the date of the valuation], **beginning with the school year that started on**
71 **July 1, 2011, and decreasing until the end of the thirty-year period or**
72 **until the system experiences a funded ratio, as defined in section**
73 **105.660, of at least one hundred percent,** subject to the limitations of this
74 subsection; and

75 (4) Not less than once every ten years the board shall have an actuary,
76 other than the actuary performing the actuarial valuation pursuant to this
77 section, review such actuarial valuation and perform an additional valuation of
78 the system.

79 5. Regardless of the provisions of any law governing compensation and
80 contracts, every teacher or employee shall be deemed to consent and agree to the
81 deductions provided herein. Payment of salary or compensation less such
82 deduction shall be a full and complete discharge of all salary or compensation
83 claims and demands during the period covered by such payment, except as to the
84 benefits provided under sections 169.010 to 169.141.

85 6. Notwithstanding any other provision of sections 169.010 to 169.141 to
86 the contrary, no legislation shall be enacted after July 1, 2003, that increases
87 benefits provided to members or retirees of the public school retirement system
88 of Missouri above that which may be funded using a rate of contribution of ten
89 and one-half percent as determined using an actuarial valuation as provided in

90 subsection 4 of this section; provided that, notwithstanding the provision of this
91 subsection, legislation may be enacted after July 1, 2003, that provides for an
92 extension of time within which a member may make an election pursuant to
93 subdivisions (3) to (8) of subsection 1 of section 169.070.

169.070. 1. The retirement allowance of a member whose age at
2 retirement is sixty years or more and whose creditable service is five years or
3 more, or whose sum of age and creditable service equals eighty years or more, or
4 who has attained age fifty-five and whose creditable service is twenty-five years
5 or more or whose creditable service is thirty years or more regardless of age, may
6 be the sum of the following items, not to exceed one hundred percent of the
7 member's final average salary:

8 (1) Two and five-tenths percent of the member's final average salary for
9 each year of membership service;

10 (2) Six-tenths of the amount payable for a year of membership service for
11 each year of prior service not exceeding thirty years. In lieu of the retirement
12 allowance otherwise provided in subdivisions (1) and (2) of this subsection, a
13 member may elect to receive a retirement allowance of:

14 (3) Between July 1, 1998, and July 1, 2013, two and four-tenths percent
15 of the member's final average salary for each year of membership service, if the
16 member's creditable service is twenty-nine years or more but less than thirty
17 years, and the member has not attained age fifty-five;

18 (4) Between July 1, 1998, and July 1, 2013, two and
19 thirty-five-hundredths percent of the member's final average salary for each year
20 of membership service, if the member's creditable service is twenty-eight years
21 or more but less than twenty-nine years, and the member has not attained age
22 fifty-five;

23 (5) Between July 1, 1998, and July 1, 2013, two and three-tenths percent
24 of the member's final average salary for each year of membership service, if the
25 member's creditable service is twenty-seven years or more but less than
26 twenty-eight years, and the member has not attained age fifty-five;

27 (6) Between July 1, 1998, and July 1, 2013, two and
28 twenty-five-hundredths percent of the member's final average salary for each year
29 of membership service, if the member's creditable service is twenty-six years or
30 more but less than twenty-seven years, and the member has not attained age
31 fifty-five;

32 (7) Between July 1, 1998, and July 1, 2013, two and two-tenths percent

33 of the member's final average salary for each year of membership service, if the
34 member's creditable service is twenty-five years or more but less than twenty-six
35 years, and the member has not attained age fifty-five;

36 (8) Between July 1, 2001, and July 1, 2013, two and fifty-five hundredths
37 percent of the member's final average salary for each year of membership service,
38 if the member's creditable service is thirty-one years or more regardless of age.

39 2. In lieu of the retirement allowance provided in subsection 1 of this
40 section, a member whose age is sixty years or more on September 28, 1975, may
41 elect to have the member's retirement allowance calculated as a sum of the
42 following items:

43 (1) Sixty cents plus one and five-tenths percent of the member's final
44 average salary for each year of membership service;

45 (2) Six-tenths of the amount payable for a year of membership service for
46 each year of prior service not exceeding thirty years;

47 (3) Three-fourths of one percent of the sum of subdivisions (1) and (2) of
48 this subsection for each month of attained age in excess of sixty years but not in
49 excess of age sixty-five.

50 3. (1) In lieu of the retirement allowance provided either in subsection 1
51 or 2 of this section, collectively called "option 1", a member whose creditable
52 service is twenty-five years or more or who has attained the age of fifty-five with
53 five or more years of creditable service may elect in the member's application for
54 retirement to receive the actuarial equivalent of the member's retirement
55 allowance in reduced monthly payments for life during retirement with the
56 provision that:

57 Option 2. Upon the member's death the reduced retirement allowance
58 shall be continued throughout the life of and paid to such person as has an
59 insurable interest in the life of the member as the member shall have nominated
60 in the member's election of the option, and provided further that if the person so
61 nominated dies before the retired member, the retirement allowance will be
62 increased to the amount the retired member would be receiving had the retired
63 member elected option 1; OR

64 Option 3. Upon the death of the member three-fourths of the reduced
65 retirement allowance shall be continued throughout the life of and paid to such
66 person as has an insurable interest in the life of the member and as the member
67 shall have nominated in an election of the option, and provided further that if the
68 person so nominated dies before the retired member, the retirement allowance

69 will be increased to the amount the retired member would be receiving had the
70 member elected option 1; OR

71 Option 4. Upon the death of the member one-half of the reduced
72 retirement allowance shall be continued throughout the life of, and paid to, such
73 person as has an insurable interest in the life of the member and as the member
74 shall have nominated in an election of the option, and provided further that if the
75 person so nominated dies before the retired member, the retirement allowance
76 shall be increased to the amount the retired member would be receiving had the
77 member elected option 1; OR

78 Option 5. Upon the death of the member prior to the member having
79 received one hundred twenty monthly payments of the member's reduced
80 allowance, the remainder of the one hundred twenty monthly payments of the
81 reduced allowance shall be paid to such beneficiary as the member shall have
82 nominated in the member's election of the option or in a subsequent nomination.
83 If there is no beneficiary so nominated who survives the member for the
84 remainder of the one hundred twenty monthly payments, the total of the
85 remainder of such one hundred twenty monthly payments shall be paid to the
86 surviving spouse, surviving children in equal shares, surviving parents in equal
87 shares, or estate of the last person, in that order of precedence, to receive a
88 monthly allowance in a lump sum payment. If the total of the one hundred
89 twenty payments paid to the retired individual and the beneficiary of the retired
90 individual is less than the total of the member's accumulated contributions, the
91 difference shall be paid to the beneficiary in a lump sum; OR

92 Option 6. Upon the death of the member prior to the member having
93 received sixty monthly payments of the member's reduced allowance, the
94 remainder of the sixty monthly payments of the reduced allowance shall be paid
95 to such beneficiary as the member shall have nominated in the member's election
96 of the option or in a subsequent nomination. If there is no beneficiary so
97 nominated who survives the member for the remainder of the sixty monthly
98 payments, the total of the remainder of such sixty monthly payments shall be
99 paid to the surviving spouse, surviving children in equal shares, surviving
100 parents in equal shares, or estate of the last person, in that order of precedence,
101 to receive a monthly allowance in a lump sum payment. If the total of the sixty
102 payments paid to the retired individual and the beneficiary of the retired
103 individual is less than the total of the member's accumulated contributions, the
104 difference shall be paid to the beneficiary in a lump sum.

105 (2) The election of an option may be made only in the application for
106 retirement and such application must be filed prior to the date on which the
107 retirement of the member is to be effective. If either the member or the person
108 nominated to receive the survivorship payments dies before the effective date of
109 retirement, the option shall not be effective, provided that:

110 (a) If the member or a person retired on disability retirement dies after
111 acquiring twenty-five or more years of creditable service or after attaining the age
112 of fifty-five years and acquiring five or more years of creditable service and before
113 retirement, except retirement with disability benefits, and the person named by
114 the member as the member's beneficiary has an insurable interest in the life of
115 the deceased member, the designated beneficiary may elect to receive either
116 survivorship benefits under option 2 or a payment of the accumulated
117 contributions of the member. If survivorship benefits under option 2 are elected
118 and the member at the time of death would have been eligible to receive an
119 actuarial equivalent of the member's retirement allowance, the designated
120 beneficiary may further elect to defer the option 2 payments until the date the
121 member would have been eligible to receive the retirement allowance provided in
122 subsection 1 or 2 of this section;

123 (b) If the member or a person retired on disability retirement dies before
124 attaining age fifty-five but after acquiring five but fewer than twenty-five years
125 of creditable service, and the person named as the member's beneficiary has an
126 insurable interest in the life of the deceased member, the designated beneficiary
127 may elect to receive either a payment of the member's accumulated contributions,
128 or survivorship benefits under option 2 to begin on the date the member would
129 first have been eligible to receive an actuarial equivalent of the member's
130 retirement allowance, or to begin on the date the member would first have been
131 eligible to receive the retirement allowance provided in subsection 1 or 2 of this
132 section.

133 4. If the total of the retirement or disability allowance paid to an
134 individual before the death of the individual is less than the accumulated
135 contributions at the time of retirement, the difference shall be paid to the
136 beneficiary of the individual, or to the surviving spouse, surviving children in
137 equal shares, surviving parents in equal shares, or estate of the individual in that
138 order of precedence. If an optional benefit as provided in option 2, 3 or 4 in
139 subsection 3 of this section had been elected, and the beneficiary dies after
140 receiving the optional benefit, and if the total retirement allowance paid to the

141 retired individual and the beneficiary of the retired individual is less than the
142 total of the contributions, the difference shall be paid to the surviving spouse,
143 surviving children in equal shares, surviving parents in equal shares, or estate
144 of the beneficiary, in that order of precedence, unless the retired individual
145 designates a different recipient with the board at or after retirement.

146 5. If a member dies and his or her financial institution is unable to accept
147 the final payment or payments due to the member, the final payment or payments
148 shall be paid to the beneficiary of the member or, if there is no beneficiary, to the
149 surviving spouse, surviving children in equal shares, surviving parents in equal
150 shares, or estate of the member, in that order of precedence, unless otherwise
151 stated. If the beneficiary of a deceased member dies and his or her financial
152 institution is unable to accept the final payment or payments, the final payment
153 or payments shall be paid to the surviving spouse, surviving children in equal
154 shares, surviving parents in equal shares, or estate of the member, in that order
155 of precedence, unless otherwise stated.

156 6. If a member dies before receiving a retirement allowance, the member's
157 accumulated contributions at the time of the death of the member shall be paid
158 to the beneficiary of the member or, if there is no beneficiary, to the surviving
159 spouse, surviving children in equal shares, surviving parents in equal shares, or
160 to the estate of the member, in that order of precedence; except that, no such
161 payment shall be made if the beneficiary elects option 2 in subsection 3 of this
162 section, unless the beneficiary dies before having received benefits pursuant to
163 that subsection equal to the accumulated contributions of the member, in which
164 case the amount of accumulated contributions in excess of the total benefits paid
165 pursuant to that subsection shall be paid to the surviving spouse, surviving
166 children in equal shares, surviving parents in equal shares, or estate of the
167 beneficiary, in that order of precedence.

168 7. If a member ceases to be a public school employee as herein defined
169 and certifies to the board of trustees that such cessation is permanent, or if the
170 membership of the person is otherwise terminated, the member shall be paid the
171 member's accumulated contributions with interest.

172 8. Notwithstanding any provisions of sections 169.010 to 169.141 to the
173 contrary, if a member ceases to be a public school employee after acquiring five
174 or more years of membership service in Missouri, the member may at the option
175 of the member leave the member's contributions with the retirement system and
176 claim a retirement allowance any time after reaching the minimum age for

177 voluntary retirement. When the member's claim is presented to the board, the
178 member shall be granted an allowance as provided in sections 169.010 to 169.141
179 on the basis of the member's age, years of service, and the provisions of the law
180 in effect at the time the member requests the member's retirement to become
181 effective.

182 9. The retirement allowance of a member retired because of disability
183 shall be nine-tenths of the allowance to which the member's creditable service
184 would entitle the member if the member's age were sixty, or fifty percent of
185 one-twelfth of the annual salary rate used in determining the member's
186 contributions during the last school year for which the member received a year
187 of creditable service immediately prior to the member's disability, whichever is
188 greater, except that no such allowance shall exceed the retirement allowance to
189 which the member would have been entitled upon retirement at age sixty if the
190 member had continued to teach from the date of disability until age sixty at the
191 same salary rate.

192 10. Notwithstanding any provisions of sections 169.010 to 169.141 to the
193 contrary, from October 13, 1961, the contribution rate pursuant to sections
194 169.010 to 169.141 shall be multiplied by the factor of two-thirds for any member
195 of the system for whom federal Old Age and Survivors Insurance tax is paid from
196 state or local tax funds on account of the member's employment entitling the
197 person to membership in the system. The monetary benefits for a member who
198 elected not to exercise an option to pay into the system a retroactive contribution
199 of four percent on that part of the member's annual salary rate which was in
200 excess of four thousand eight hundred dollars but not in excess of eight thousand
201 four hundred dollars for each year of employment in a position covered by this
202 system between July 1, 1957, and July 1, 1961, as provided in subsection 10 of
203 this section as it appears in RSMo, 1969, shall be the sum of:

204 (1) For years of service prior to July 1, 1946, six-tenths of the full amount
205 payable for years of membership service;

206 (2) For years of membership service after July 1, 1946, in which the full
207 contribution rate was paid, full benefits under the formula in effect at the time
208 of the member's retirement;

209 (3) For years of membership service after July 1, 1957, and prior to July
210 1, 1961, the benefits provided in this section as it appears in RSMo, 1959; except
211 that if the member has at least thirty years of creditable service at retirement the
212 member shall receive the benefit payable pursuant to that section as though the

213 member's age were sixty-five at retirement;

214 (4) For years of membership service after July 1, 1961, in which the
215 two-thirds contribution rate was paid, two-thirds of the benefits under the
216 formula in effect at the time of the member's retirement.

217 11. The monetary benefits for each other member for whom federal Old
218 Age and Survivors Insurance tax is or was paid at any time from state or local
219 funds on account of the member's employment entitling the member to
220 membership in the system shall be the sum of:

221 (1) For years of service prior to July 1, 1946, six-tenths of the full amount
222 payable for years of membership service;

223 (2) For years of membership service after July 1, 1946, in which the full
224 contribution rate was paid, full benefits under the formula in effect at the time
225 of the member's retirement;

226 (3) For years of membership service after July 1, 1957, in which the
227 two-thirds contribution rate was paid, two-thirds of the benefits under the
228 formula in effect at the time of the member's retirement.

229 12. Any retired member of the system who was retired prior to September
230 1, 1972, or beneficiary receiving payments under option 1 or option 2 of
231 subsection 3 of this section, as such option existed prior to September 1, 1972,
232 will be eligible to receive an increase in the retirement allowance of the member
233 of two percent for each year, or major fraction of more than one-half of a year,
234 which the retired member has been retired prior to July 1, 1975. This increased
235 amount shall be payable commencing with January, 1976, and shall thereafter
236 be referred to as the member's retirement allowance. The increase provided for
237 in this subsection shall not affect the retired member's eligibility for
238 compensation provided for in section 169.580 or 169.585, nor shall the amount
239 being paid pursuant to these sections be reduced because of any increases
240 provided for in this section.

241 13. If the board of trustees determines that the cost of living, as measured
242 by generally accepted standards, increases two percent or more in the preceding
243 fiscal year, the board shall increase the retirement allowances which the retired
244 members or beneficiaries are receiving by two percent of the amount being
245 received by the retired member or the beneficiary at the time the annual increase
246 is granted by the board with the provision that the increases provided for in this
247 subsection shall not become effective until the fourth January first following the
248 member's retirement or January 1, 1977, whichever later occurs, or in the case

249 of any member retiring on or after July 1, 2000, the increase provided for in this
250 subsection shall not become effective until the third January first following the
251 member's retirement, or in the case of any member retiring on or after July 1,
252 2001, the increase provided for in this subsection shall not become effective until
253 the second January first following the member's retirement. Commencing with
254 January 1, 1992, if the board of trustees determines that the cost of living has
255 increased five percent or more in the preceding fiscal year, the board shall
256 increase the retirement allowances by five percent. The total of the increases
257 granted to a retired member or the beneficiary after December 31, 1976, may not
258 exceed eighty percent of the retirement allowance established at retirement or as
259 previously adjusted by other subsections. If the cost of living increases less than
260 five percent, the board of trustees may determine the percentage of increase to
261 be made in retirement allowances, but at no time can the increase exceed five
262 percent per year, **except that the board shall increase the retirement**
263 **allowances which the retired members or beneficiaries are receiving by**
264 **two percent of the amount being received by the retired member or the**
265 **beneficiary at the time the annual increase is granted by the board,**
266 **until the system experiences a funded ratio, as defined in section**
267 **105.660, of at least one hundred percent.** If the cost of living decreases in
268 a fiscal year, there [will] **shall** be no increase in allowances for retired members
269 on the following January first.

270 14. The board of trustees may reduce the amounts which have been
271 granted as increases to a member pursuant to subsection 13 of this section if the
272 cost of living, as determined by the board and as measured by generally accepted
273 standards, is less than the cost of living was at the time of the first increase
274 granted to the member; except that, the reductions shall not exceed the amount
275 of increases which have been made to the member's allowance after December 31,
276 1976.

277 15. Any application for retirement shall include a sworn statement by the
278 member certifying that the spouse of the member at the time the application was
279 completed was aware of the application and the plan of retirement elected in the
280 application.

281 16. Notwithstanding any other provision of law, any person retired prior
282 to September 28, 1983, who is receiving a reduced retirement allowance under
283 option 1 or option 2 of subsection 3 of this section, as such option existed prior to
284 September 28, 1983, and whose beneficiary nominated to receive continued

285 retirement allowance payments under the elected option dies or has died, shall
286 upon application to the board of trustees have his or her retirement allowance
287 increased to the amount he or she would have been receiving had the option not
288 been elected, actuarially adjusted to recognize any excessive benefits which would
289 have been paid to him or her up to the time of application.

290 17. Benefits paid pursuant to the provisions of the public school
291 retirement system of Missouri shall not exceed the limitations of Section 415 of
292 Title 26 of the United States Code except as provided pursuant to this
293 subsection. Notwithstanding any other law to the contrary, the board of trustees
294 may establish a benefit plan pursuant to Section 415(m) of Title 26 of the United
295 States Code. Such plan shall be created solely for the purpose described in
296 Section 415(m)(3)(A) of Title 26 of the United States Code. The board of trustees
297 may promulgate regulations necessary to implement the provisions of this
298 subsection and to create and administer such benefit plan.

299 18. Notwithstanding any other provision of law to the contrary, any
300 person retired before, on, or after May 26, 1994, shall be made, constituted,
301 appointed and employed by the board as a special consultant on the matters of
302 education, retirement and aging, and upon request shall give written or oral
303 opinions to the board in response to such requests. As compensation for such
304 duties the person shall receive an amount based on the person's years of service
305 so that the total amount received pursuant to sections 169.010 to 169.141 shall
306 be at least the minimum amounts specified in subdivisions (1) to (4) of this
307 subsection. In determining the minimum amount to be received, the amounts in
308 subdivisions (3) and (4) of this subsection shall be adjusted in accordance with the
309 actuarial adjustment, if any, that was applied to the person's retirement
310 allowance. In determining the minimum amount to be received, beginning
311 September 1, 1996, the amounts in subdivisions (1) and (2) of this subsection
312 shall be adjusted in accordance with the actuarial adjustment, if any, that was
313 applied to the person's retirement allowance due to election of an optional form
314 of retirement having a continued monthly payment after the person's
315 death. Notwithstanding any other provision of law to the contrary, no person
316 retired before, on, or after May 26, 1994, and no beneficiary of such a person,
317 shall receive a retirement benefit pursuant to sections 169.010 to 169.141 based
318 on the person's years of service less than the following amounts:

319 (1) Thirty or more years of service, one thousand two hundred dollars;

320 (2) At least twenty-five years but less than thirty years, one thousand

321 dollars;

322 (3) At least twenty years but less than twenty-five years, eight hundred
323 dollars;

324 (4) At least fifteen years but less than twenty years, six hundred dollars.

325 19. Notwithstanding any other provisions of law to the contrary, any
326 person retired prior to May 26, 1994, and any designated beneficiary of such a
327 retired member who was deceased prior to July 1, 1999, shall be made,
328 constituted, appointed and employed by the board as a special consultant on the
329 matters of education, retirement or aging and upon request shall give written or
330 oral opinions to the board in response to such requests. Beginning September 1,
331 1996, as compensation for such service, the member shall have added, pursuant
332 to this subsection, to the member's monthly annuity as provided by this section
333 a dollar amount equal to the lesser of sixty dollars or the product of two dollars
334 multiplied by the member's number of years of creditable service. Beginning
335 September 1, 1999, the designated beneficiary of the deceased member shall as
336 compensation for such service have added, pursuant to this subsection, to the
337 monthly annuity as provided by this section a dollar amount equal to the lesser
338 of sixty dollars or the product of two dollars multiplied by the member's number
339 of years of creditable service. The total compensation provided by this section
340 including the compensation provided by this subsection shall be used in
341 calculating any future cost-of-living adjustments provided by subsection 13 of this
342 section.

343 20. Any member who has retired prior to July 1, 1998, and the designated
344 beneficiary of a deceased retired member shall be made, constituted, appointed
345 and employed by the board as a special consultant on the matters of education,
346 retirement and aging, and upon request shall give written or oral opinions to the
347 board in response to such requests. As compensation for such duties the person
348 shall receive a payment equivalent to eight and seven-tenths percent of the
349 previous month's benefit, which shall be added to the member's or beneficiary's
350 monthly annuity and which shall not be subject to the provisions of subsections
351 13 and 14 of this section for the purposes of the limit on the total amount of
352 increases which may be received.

353 21. Any member who has retired shall be made, constituted, appointed
354 and employed by the board as a special consultant on the matters of education,
355 retirement and aging, and upon request shall give written or oral opinions to the
356 board in response to such request. As compensation for such duties, the

357 beneficiary of the retired member, or, if there is no beneficiary, the surviving
358 spouse, surviving children in equal shares, surviving parents in equal shares, or
359 estate of the retired member, in that order of precedence, shall receive as a part
360 of compensation for these duties a death benefit of five thousand dollars.

361 22. Any member who has retired prior to July 1, 1999, and the designated
362 beneficiary of a retired member who was deceased prior to July 1, 1999, shall be
363 made, constituted, appointed and employed by the board as a special consultant
364 on the matters of education, retirement and aging, and upon request shall give
365 written or oral opinions to the board in response to such requests. As
366 compensation for such duties, the person shall have added, pursuant to this
367 subsection, to the monthly annuity as provided by this section a dollar amount
368 equal to five dollars times the member's number of years of creditable service.

369 23. Any member who has retired prior to July 1, 2000, and the designated
370 beneficiary of a deceased retired member shall be made, constituted, appointed
371 and employed by the board as a special consultant on the matters of education,
372 retirement and aging, and upon request shall give written or oral opinions to the
373 board in response to such requests. As compensation for such duties, the person
374 shall receive a payment equivalent to three and five-tenths percent of the
375 previous month's benefit, which shall be added to the member or beneficiary's
376 monthly annuity and which shall not be subject to the provisions of subsections
377 13 and 14 of this section for the purposes of the limit on the total amount of
378 increases which may be received.

379 24. Any member who has retired prior to July 1, 2001, and the designated
380 beneficiary of a deceased retired member shall be made, constituted, appointed
381 and employed by the board as a special consultant on the matters of education,
382 retirement and aging, and upon request shall give written or oral opinions to the
383 board in response to such requests. As compensation for such duties, the person
384 shall receive a dollar amount equal to three dollars times the member's number
385 of years of creditable service, which shall be added to the member's or
386 beneficiary's monthly annuity and which shall not be subject to the provisions of
387 subsections 13 and 14 of this section for the purposes of the limit on the total
388 amount of increases which may be received.

169.620. 1. The funds required for the operation of the retirement system
2 created by sections 169.600 to 169.715 shall come from contributions made in
3 equal amounts by employees as herein defined and their employers, beginning
4 November 1, 1965, and from such interest or income as may be derived from the

5 investment of funds of the system. All contributions shall be transmitted to the
6 board of trustees by employers in such manner and at such times as the board by
7 rule shall require.

8 2. For each school year following the date on which the system becomes
9 operative, each and every employer of one or more persons who are members of
10 the system shall transmit to the board of trustees, in the manner and
11 accompanied by such supporting data as the board shall prescribe, twice the
12 amount that is deductible from the pay of such employee or employees during the
13 school year. Failure or refusal to transmit such amount as required shall render
14 the person or persons responsible therefor individually liable for twice the
15 amount so withheld. Suits for the recovery of amounts for which individuals are
16 thus rendered liable shall be instituted and prosecuted by the board of trustees
17 in the name of the retirement system. In addition to such civil penalty, and not
18 in lieu thereof, any person or persons made responsible for the remittance of
19 contributions who shall willfully and knowingly fail or refuse to transmit such
20 contributions or any part thereof to the board of trustees shall be deemed guilty
21 of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not
22 less than twenty-five dollars and not more than two hundred dollars. Each day
23 such person or persons shall so fail or refuse to transmit such contributions shall
24 be deemed a separate offense. The board of trustees may request the employer
25 to provide the information necessary to administer the system and to advise each
26 member of such member's status.

27 3. The contributions of members of the retirement system shall be
28 collected by their employers through appropriate deductions from paychecks. The
29 total amount deducted from the paychecks of members during any school year
30 shall equal such a percent of their salary rates as may be required by the
31 contribution rate then in effect. For contribution purposes any annual salary rate
32 less than one thousand two hundred dollars shall be regarded as one thousand
33 two hundred dollars. Contributions transmitted to the retirement system before
34 February 20, 1996, based on salary rates which either included or excluded
35 employer-paid medical benefits for members, shall be deemed to have been in
36 compliance with this section. The retirement system shall not refund or adjust
37 contributions or adjust benefit determinations with respect to any period before
38 February 20, 1996, solely because of the treatment of employer-paid medical
39 benefits for members. Effective December 31, 1995, compensation in excess of the
40 limitations set forth in Section 401(a)(17) of Title 26 of the United States Code

41 shall be disregarded for purposes of determining contributions pursuant to this
42 section and calculating benefits paid by the public education employee retirement
43 system of Missouri. The limitation on compensation for eligible employees shall
44 not be less than the amount which was allowed to be taken into account under
45 the system as in effect on July 1, 1993. For the purpose of this subsection, an
46 "eligible employee" is an individual who was a member of the system before July
47 1, 1996.

48 4. The board of trustees shall fix and certify to the employers the level
49 rate of contribution subject to the following:

50 (1) The level rate of contribution for a fiscal year shall not exceed the level
51 rate of contribution for the prior fiscal year by more than one-quarter percent,
52 **except that beginning in the 2012-2013 school year, the employee and**
53 **employer contribution rates shall be fixed at the rate certified for the**
54 **2011-2012 school year rate until the system experiences a funded ratio,**
55 **as defined in section 105.660, of at least one hundred percent;**

56 (2) The board shall fix and certify to the employers the rate of
57 contribution for a fiscal year no later than six months prior to the date such rate
58 is to be effective;

59 (3) The board shall fix and certify to the employers the rate of
60 contribution for a fiscal year based on an actuarial valuation of the system as of
61 a date not earlier than the last day of the second prior fiscal year, **except that**
62 **the actuarial valuation shall not be used to fix the contribution rates**
63 **so long as the contribution rates are fixed at the 2011-2012 school year**
64 **rate, as provided in subdivision (1) of this subsection.** Such actuarial
65 valuation of the system shall be performed using processes and actuarial
66 assumptions that are in accordance with actuarial standards of practice in effect
67 at the time the valuation is performed, as promulgated by the actuarial standards
68 board or its successor; provided that such actuarial valuation shall be based on
69 the entry age normal actuarial cost method and an asset valuation method based
70 on the market value of system assets that may provide for smoothing of
71 investment gains and losses, and further, that the level rate of contribution shall
72 be the total of the normal cost and a rate which shall amortize the unfunded
73 actuarial accrued liability over a period that shall not exceed thirty years [from
74 the date of the valuation], **beginning with the school year that started on**
75 **July 1, 2011, and decreasing annually until the end of the thirty-year**
76 **period or until the system experiences a funded ratio, as defined in**

77 **section 105.660, of at least one hundred percent**, subject to the limitations
78 of this subsection; and

79 (4) Not less than once every ten years the board shall have an actuary,
80 other than the actuary performing the actuarial valuation pursuant to this
81 section, review such actuarial valuation and perform an additional actuarial
82 valuation of the system.

83 5. Regardless of the provisions of any law governing compensation and
84 contracts, every employee shall be deemed to consent and agree to the deductions
85 provided herein. Payment of salary or compensation less such deduction shall be
86 a full and complete discharge of all salary or compensation claims and demands
87 during the period covered by such payment, except as to the benefits provided
88 pursuant to sections 169.600 to 169.715.

89 6. A person serving as an employee as defined in section 169.600, who
90 became a member after November 1, 1965, and before July 1, 1974, and who was
91 regularly employed to serve for twenty or more hours per week at some time
92 during the period November 1, 1965, to July 1, 1974, may receive membership
93 service credit for such service by paying into the system the amount, with interest
94 at such rate as may be set by the board within the limits set by law for interest
95 rates, the person would have contributed had the person been eligible for
96 membership.

97 7. Notwithstanding any other provision of sections 169.600 to 169.715 to
98 the contrary, no legislation shall be enacted after July 1, 2003, that increases
99 benefits provided to members or retirees of the public education employee
100 retirement system of Missouri above that which may be funded using a rate of
101 contribution of five percent as determined using an actuarial valuation as
102 provided in subsection 4 of this section; provided that, notwithstanding the
103 provisions of this subsection, legislation may be enacted after July 1, 2003, that
104 provides for an extension of time within which a member may make an election
105 pursuant to subdivision (4) of subsection 1 of section 169.670.

169.670. 1. The retirement allowance of a member whose age at
2 retirement is sixty years or more and whose creditable service is five years or
3 more, or whose sum of age and creditable service equals eighty years or more, or
4 whose creditable service is thirty years or more regardless of age, shall be the
5 sum of the following items:

6 (1) For each year of membership service, one and sixty-one hundredths
7 percent of the member's final average salary;

8 (2) Six-tenths of the amount payable for a year of membership service for
9 each year of prior service;

10 (3) Eighty-five one-hundredths of one percent of any amount by which the
11 member's average compensation for services rendered prior to July 1, 1973,
12 exceeds the average monthly compensation on which federal Social Security taxes
13 were paid during the period over which such average compensation was
14 computed, for each year of membership service credit for services rendered prior
15 to July 1, 1973, plus six-tenths of the amount payable for a year of membership
16 service for each year of prior service credit;

17 (4) In lieu of the retirement allowance otherwise provided by subdivisions
18 (1) to (3) of this subsection, between July 1, 2001, and July 1, 2013, a member
19 may elect to receive a retirement allowance of:

20 (a) One and fifty-nine hundredths percent of the member's final average
21 salary for each year of membership service, if the member's creditable service is
22 twenty-nine years or more but less than thirty years and the member has not
23 attained the age of fifty-five;

24 (b) One and fifty-seven hundredths percent of the member's final average
25 salary for each year of membership service, if the member's creditable service is
26 twenty-eight years or more but less than twenty-nine years, and the member has
27 not attained the age of fifty-five;

28 (c) One and fifty-five hundredths percent of the member's final average
29 salary for each year of membership service, if the member's creditable service is
30 twenty-seven years or more but less than twenty-eight years and the member has
31 not attained the age of fifty-five;

32 (d) One and fifty-three hundredths percent of the member's final average
33 salary for each year of membership service, if the member's creditable service is
34 twenty-six years or more but less than twenty-seven years and the member has
35 not attained the age of fifty-five;

36 (e) One and fifty-one hundredths percent of the member's final average
37 salary for each year of membership service, if the member's creditable service is
38 twenty-five years or more but less than twenty-six years and the member has not
39 attained the age of fifty-five; and

40 (5) In addition to the retirement allowance provided in subdivisions (1)
41 to (3) of this subsection, a member retiring on or after July 1, 2001, whose
42 creditable service is thirty years or more or whose sum of age and creditable
43 service is eighty years or more, shall receive a temporary retirement allowance

44 equivalent to eight-tenths of one percent of the member's final average salary
45 multiplied by the member's years of service until such time as the member
46 reaches the minimum age for Social Security retirement benefits.

47 2. If the board of trustees determines that the cost of living, as measured
48 by generally accepted standards, increases five percent or more in the preceding
49 fiscal year, the board shall increase the retirement allowances which the retired
50 members or beneficiaries are receiving by five percent of the amount being
51 received by the retired member or the beneficiary at the time the annual increase
52 is granted by the board; provided that, the increase provided in this subsection
53 shall not become effective until the fourth January first following a member's
54 retirement or January 1, 1982, whichever occurs later, and the total of the
55 increases granted to a retired member or the beneficiary after December 31, 1981,
56 may not exceed eighty percent of the retirement allowance established at
57 retirement or as previously adjusted by other provisions of law. If the cost of
58 living increases less than five percent, the board of trustees may determine the
59 percentage of increase to be made in retirement allowances, but at no time can
60 the increase exceed five percent per year, **except that the board shall**
61 **increase the retirement allowances which the retired members or**
62 **beneficiaries are receiving by two percent of the amount being received**
63 **by the retired member or the beneficiary at the time the annual**
64 **increase is granted by the board, until the system experiences a funded**
65 **ratio, as defined in section 105.660, of at least one hundred percent.** If
66 the cost of living decreases in a fiscal year, there [will] **shall** be no increase in
67 allowances for retired members on the following January first.

68 3. The board of trustees may reduce the amounts which have been granted
69 as increases to a member pursuant to subsection 2 of this section if the cost of
70 living, as determined by the board and as measured by generally accepted
71 standards, is less than the cost of living was at the time of the first increase
72 granted to the member; provided that, the reductions shall not exceed the amount
73 of increases which have been made to the member's allowance after December 31,
74 1981.

75 4. (1) In lieu of the retirement allowance provided in subsection 1 of this
76 section, called option 1, a member whose creditable service is twenty-five years
77 or more or who has attained age fifty-five with five or more years of creditable
78 service may elect, in the application for retirement, to receive the actuarial
79 equivalent of the member's retirement allowance in reduced monthly payments

80 for life during retirement with the provision that:

81 Option 2. Upon the member's death, the reduced retirement allowance
82 shall be continued throughout the life of and paid to such person as has an
83 insurable interest in the life of the member as the member shall have nominated
84 in the member's election of the option, and provided further that if the person so
85 nominated dies before the retired member, the retirement allowance will be
86 increased to the amount the retired member would be receiving had the member
87 elected option 1; OR

88 Option 3. Upon the death of the member three-fourths of the reduced
89 retirement allowance shall be continued throughout the life of and paid to such
90 person as has an insurable interest in the life of the member and as the member
91 shall have nominated in an election of the option, and provided further that if the
92 person so nominated dies before the retired member, the retirement allowance
93 will be increased to the amount the retired member would be receiving had the
94 member elected option 1; OR

95 Option 4. Upon the death of the member one-half of the reduced
96 retirement allowance shall be continued throughout the life of, and paid to, such
97 person as has an insurable interest in the life of the member and as the member
98 shall have nominated in an election of the option, and provided further that if the
99 person so nominated dies before the retired member, the retirement allowance
100 shall be increased to the amount the retired member would be receiving had the
101 member elected option 1; OR

102 Option 5. Upon the death of the member prior to the member having
103 received one hundred twenty monthly payments of the member's reduced
104 allowance, the remainder of the one hundred twenty monthly payments of the
105 reduced allowance shall be paid to such beneficiary as the member shall have
106 nominated in the member's election of the option or in a subsequent nomination.
107 If there is no beneficiary so nominated who survives the member for the
108 remainder of the one hundred twenty monthly payments, the reserve for the
109 remainder of such one hundred twenty monthly payments shall be paid to the
110 surviving spouse, surviving children in equal shares, surviving parents in equal
111 shares, or estate of the last person, in that order of precedence, to receive a
112 monthly allowance in a lump sum payment. If the total of the one hundred
113 twenty payments paid to the retired individual and the beneficiary of the retired
114 individual is less than the total of the member's accumulated contributions, the
115 difference shall be paid to the beneficiary in a lump sum; OR

116 Option 6. Upon the death of the member prior to the member having
117 received sixty monthly payments of the member's reduced allowance, the
118 remainder of the sixty monthly payments of the reduced allowance shall be paid
119 to such beneficiary as the member shall have nominated in the member's election
120 of the option or in a subsequent nomination. If there is no beneficiary so
121 nominated who survives the member for the remainder of the sixty monthly
122 payments, the reserve for the remainder of such sixty monthly payments shall be
123 paid to the surviving spouse, surviving children in equal shares, surviving
124 parents in equal shares, or estate of the last person, in that order of precedence,
125 to receive a monthly allowance in a lump sum payment. If the total of the sixty
126 payments paid to the retired individual and the beneficiary of the retired
127 individual is less than the total of the member's accumulated contributions, the
128 difference shall be paid to the beneficiary in a lump sum; OR

129 Option 7. A plan of variable monthly benefit payments which provides,
130 in conjunction with the member's retirement benefits under the federal Social
131 Security laws, level or near-level retirement benefit payments to the member for
132 life during retirement, and if authorized, to an appropriate beneficiary designated
133 by the member. Such a plan shall be actuarially equivalent to the retirement
134 allowance under option 1 and shall be available for election only if established by
135 the board of trustees under duly adopted rules.

136 (2) The election of an option may be made only in the application for
137 retirement and such application must be filed prior to the date on which the
138 retirement of the member is to be effective. If either the member or the person
139 nominated dies before the effective date of retirement, the option shall not be
140 effective, provided that:

141 (a) If the member or a person retired on disability retirement dies after
142 attaining age fifty-five and acquiring five or more years of creditable service or
143 after acquiring twenty-five or more years of creditable service and before
144 retirement, except retirement with disability benefits, and the person named by
145 the member as the member's beneficiary has an insurable interest in the life of
146 the deceased member, the designated beneficiary may elect to receive either
147 survivorship payments under option 2 or a payment of the member's accumulated
148 contributions. If survivorship benefits under option 2 are elected and the member
149 at the time of death would have been eligible to receive an actuarial equivalent
150 of the member's retirement allowance, the designated beneficiary may further
151 elect to defer the option 2 payments until the date the member would have been

152 eligible to receive the retirement allowance provided in subsection 1 of this
153 section.

154 (b) If the member or a person retired on disability retirement dies before
155 attaining age fifty-five but after acquiring five but fewer than twenty-five years
156 of creditable service, and the person named as the beneficiary has an insurable
157 interest in the life of the deceased member or disability retiree, the designated
158 beneficiary may elect to receive either a payment of the person's accumulated
159 contributions or survivorship benefits under option 2 to begin on the date the
160 member would first have been eligible to receive an actuarial equivalent of the
161 person's retirement allowance, or to begin on the date the member would first
162 have been eligible to receive the retirement allowance provided in subsection 1
163 of this section.

164 5. If the total of the retirement or disability allowances paid to an
165 individual before the person's death is less than the person's accumulated
166 contributions at the time of the person's retirement, the difference shall be paid
167 to the person's beneficiary or, if there is no beneficiary, to the surviving spouse,
168 surviving children in equal shares, surviving parents in equal shares, or person's
169 estate, in that order of precedence; provided, however, that if an optional benefit,
170 as provided in option 2, 3 or 4 in subsection 4 of this section, had been elected
171 and the beneficiary dies after receiving the optional benefit, then, if the total
172 retirement allowances paid to the retired individual and the individual's
173 beneficiary are less than the total of the contributions, the difference shall be
174 paid to the surviving spouse, surviving children in equal shares, surviving
175 parents in equal shares, or estate of the beneficiary, in that order of precedence,
176 unless the retired individual designates a different recipient with the board at or
177 after retirement.

178 6. If a member dies and his or her financial institution is unable to accept
179 the final payment or payments due to the member, the final payment or payments
180 shall be paid to the beneficiary of the member or, if there is no beneficiary, to the
181 surviving spouse, surviving children in equal shares, surviving parents in equal
182 shares, or estate of the member, in that order of precedence, unless otherwise
183 stated. If the beneficiary of a deceased member dies and his or her financial
184 institution is unable to accept the final payment or payments, the final payment
185 or payments shall be paid to the surviving spouse, surviving children in equal
186 shares, surviving parents in equal shares, or estate of the member, in that order
187 of precedence, unless otherwise stated.

188 7. If a member dies before receiving a retirement allowance, the member's
189 accumulated contributions at the time of the member's death shall be paid to the
190 member's beneficiary or, if there is no beneficiary, to the surviving spouse,
191 surviving children in equal shares, surviving parents in equal shares, or to the
192 member's estate; provided, however, that no such payment shall be made if the
193 beneficiary elects option 2 in subsection 4 of this section, unless the beneficiary
194 dies before having received benefits pursuant to that subsection equal to the
195 accumulated contributions of the member, in which case the amount of
196 accumulated contributions in excess of the total benefits paid pursuant to that
197 subsection shall be paid to the surviving spouse, surviving children in equal
198 shares, surviving parents in equal shares, or estate of the beneficiary, in that
199 order of precedence.

200 8. If a member ceases to be an employee as defined in section 169.600 and
201 certifies to the board of trustees that such cessation is permanent or if the
202 person's membership is otherwise terminated, the person shall be paid the
203 person's accumulated contributions with interest.

204 9. Notwithstanding any provisions of sections 169.600 to 169.715 to the
205 contrary, if a member ceases to be an employee as defined in section 169.600 after
206 acquiring five or more years of creditable service, the member may, at the option
207 of the member, leave the member's contributions with the retirement system and
208 claim a retirement allowance any time after the member reaches the minimum
209 age for voluntary retirement. When the member's claim is presented to the
210 board, the member shall be granted an allowance as provided in sections 169.600
211 to 169.715 on the basis of the member's age and years of service.

212 10. The retirement allowance of a member retired because of disability
213 shall be nine-tenths of the allowance to which the member's creditable service
214 would entitle the member if the member's age were sixty.

215 11. Notwithstanding any provisions of sections 169.600 to 169.715 to the
216 contrary, any member who is a member prior to October 13, 1969, may elect to
217 have the member's retirement allowance computed in accordance with sections
218 169.600 to 169.715 as they existed prior to October 13, 1969.

219 12. Any application for retirement shall include a sworn statement by the
220 member certifying that the spouse of the member at the time the application was
221 completed was aware of the application and the plan of retirement elected in the
222 application.

223 13. Notwithstanding any other provision of law, any person retired prior

224 to August 14, 1984, who is receiving a reduced retirement allowance under option
225 1 or 2 of subsection 4 of this section, as the option existed prior to August 14,
226 1984, and whose beneficiary nominated to receive continued retirement allowance
227 payments under the elected option dies or has died, shall upon application to the
228 board of trustees have the person's retirement allowance increased to the amount
229 the person would have been receiving had the person not elected the option
230 actuarially adjusted to recognize any excessive benefits which would have been
231 paid to the person up to the time of the application.

232 14. Benefits paid pursuant to the provisions of the public education
233 employee retirement system of Missouri shall not exceed the limitations of
234 Section 415 of Title 26 of the United States Code, except as provided under this
235 subsection. Notwithstanding any other law, the board of trustees may establish
236 a benefit plan under Section 415(m) of Title 26 of the United States Code. Such
237 plan shall be credited solely for the purpose described in Section 415(m)(3)(A) of
238 Title 26 of the United States Code. The board of trustees may promulgate
239 regulations necessary to implement the provisions of this subsection and to create
240 and administer such benefit plan.

241 15. Any member who has retired prior to July 1, 1999, and the designated
242 beneficiary of a deceased retired member upon request shall be made, constituted,
243 appointed and employed by the board as a special consultant on the matters of
244 education, retirement and aging. As compensation for such duties the person
245 shall receive a payment equivalent to seven and four-tenths percent of the
246 previous month's benefit, which shall be added to the member's or beneficiary's
247 monthly annuity and which shall not be subject to the provisions of subsections
248 2 and 3 of this section for the purposes of the limit on the total amount of
249 increases which may be received.

250 16. Any member who has retired prior to July 1, 2000, and the designated
251 beneficiary of a deceased retired member upon request shall be made, constituted,
252 appointed and employed by the board as a special consultant on the matters of
253 education, retirement and aging. As compensation for such duties the person
254 shall receive a payment equivalent to three and four-tenths percent of the
255 previous month's benefit, which shall be added to the member's or beneficiary's
256 monthly annuity and which shall not be subject to the provisions of subsections
257 2 and 3 of this section for the purposes of the limit on the total amount of
258 increases which may be received.

259 17. Any member who has retired prior to July 1, 2001, and the designated

260 beneficiary of a deceased retired member upon request shall be made, constituted,
261 appointed and employed by the board as a special consultant on the matters of
262 education, retirement and aging. As compensation for such duties the person
263 shall receive a payment equivalent to seven and one-tenth percent of the previous
264 month's benefit, which shall be added to the member's or beneficiary's monthly
265 annuity and which shall not be subject to the provisions of subsections 2 and 3
266 of this section for the purposes of the limit on the total amount of increases which
267 may be received.

Section B. Because of the importance of maintaining the long-term
2 viability of the public school retirement system of Missouri and the public
3 education employee retirement system of Missouri, section A of this act is deemed
4 necessary for the immediate preservation of the public health, welfare, peace and
5 safety, and is hereby declared to be an emergency act within the meaning of the
6 constitution, and section A of this act shall in full force and effect upon July 1,
7 2012, or upon approval, whichever occurs first.

✓
Bill

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