

1 HOUSE BILL NO. 95

2 INTRODUCED BY F. WILMER

3 BY REQUEST OF THE PUBLIC EMPLOYEES' RETIREMENT BOARD

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5 A BILL FOR AN ACT ENTITLED: "AN ACT IMPROVING THE ACTUARIAL UNFUNDED LIABILITY OF THE
6 PUBLIC EMPLOYEES', SHERIFFS', AND FIREFIGHTERS' UNIFIED RETIREMENT SYSTEMS BY REQUIRING
7 EMPLOYER AND STATE CONTRIBUTIONS FOR WORKING RETIREES IN THOSE SYSTEMS; AMENDING
8 SECTIONS 19-7-1101 AND 19-13-1101, MCA; AND PROVIDING AN EFFECTIVE DATE."

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10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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12 **NEW SECTION.** **Section 1. Contributions required for retirees who return to work.** (1) Beginning
13 July 1, 2013, each employer shall contribute the amount specified in 19-3-316 and the state shall contribute the
14 amount specified in 19-3-319 for retired members who return to work in a covered position but who, under the
15 provisions of 19-3-1106(4), have not become active members.

16 (2) Retired members who return to active service under the provisions of 19-3-1106 are subject to the
17 employee, employer, and state contributions set forth in 19-3-315, 19-3-316, and 19-3-319.

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19 **Section 2.** Section 19-7-1101, MCA, is amended to read:

20 **"19-7-1101. Reemployment of retired member -- contributions required.** (1) A retired member who
21 returns to service for 480 hours or more in a calendar year must become an active member of the system. Upon
22 reinstatement as an active member, benefit payments must cease until subsequent retirement.

23 (2) A retired member who returns to service for less than 480 hours in a calendar year may not become
24 an active member. The retirement benefit of a retired member employed in service must be reduced by \$1 for
25 each \$3 earned in excess of \$5,000 in a calendar year.

26 (3) Retired members who return to active service pursuant to subsection (1) are subject to the employee
27 and employer contributions set forth in 19-7-403 and 19-7-404.

28 (4) The employer of a retired member who is returning to work pursuant to subsection (2) shall contribute
29 the amounts specified in 19-7-404."

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