

SECOND REGULAR SESSION

# HOUSE BILL NO. 2100

95TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE FRANZ.

4959L.011

D. ADAM CRUMBLISS, Chief Clerk

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## AN ACT

To repeal section 50.1260, RSMo, and to enact in lieu thereof one new section relating to the county employees' retirement system.

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

Section A. Section 50.1260, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 50.1260, to read as follows:

50.1260. [1.] A distributee may elect to have any portion of an eligible rollover distribution paid directly to an eligible retirement plan specified by the distributee in a direct rollover **to the extent and in the time and manner as set forth in regulations and as otherwise provided by the board.**

[2. An eligible rollover distribution is any distribution of all or any portion of the balance to the credit of the distributee, except that an eligible rollover distribution does not include any distribution that is one of a series of substantially equal periodic payments, not less frequently than annually, made for the life, or life expectancy, of the distributee or the joint lives, or joint life expectancy, of the distributee and the distributee's designated beneficiary, or for a specified period of ten years or more; any distribution to the extent such distribution is required pursuant to 26 U.S.C. 401(a)(9); and the portion of any distribution that is not includable in gross income, determined without regard to the exclusion for net unrealized appreciation with respect to employer securities.

3. An eligible retirement plan is an individual retirement account, an individual retirement annuity, an annuity plan described in 26 U.S.C. 403(a), or a qualified trust described in 26 U.S.C. 401(a) that accepts the distributee's eligible rollover distribution. However, in the

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 case of an eligible rollover distribution to the surviving spouse, an eligible retirement plan is an  
18 individual retirement account or individual retirement annuity.

19 4. A distributee includes a member, the member's surviving spouse and the member's  
20 former spouse who is the alternate payee pursuant to a qualified domestic relations order.

21 5. A direct rollover is a payment made, in accordance with the provisions of section  
22 50.1250, to the eligible retirement plan specified by the distributee.

23 6. A distributee may elect a complete direct rollover with respect to all of the distribution  
24 or a partial direct rollover with respect to a portion of the distribution with the remainder paid  
25 directly to the distributee. The amount of a partial direct rollover must be at least five hundred  
26 dollars.

27 7. A distributee who does not make any election shall be deemed to have rejected the  
28 direct rollover option.

29 8. A distribution of less than two hundred dollars that otherwise would be an eligible  
30 rollover distribution shall not be an eligible rollover distribution if it is reasonable to expect that  
31 all such distributions to the distributee from the plan during the same calendar year will not  
32 exceed two hundred dollars.]

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