

FIRST REGULAR SESSION

HOUSE BILL NO. 722

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES LEARA (Sponsor) AND COLONA (Co-sponsor).

1813L.02I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 86.257, RSMo, and to enact in lieu thereof one new section relating to police retirement.

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

Section A. Section 86.257, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 86.257, to read as follows:

86.257. 1. Upon the application of [a member in service or of] the board of police commissioners **or any successor body**, any member who has completed [ten] **five** or more years of creditable service and who has become permanently unable to perform the duties of a police officer as the result of an injury or illness not exclusively caused or induced by the actual performance of his or her official duties or by his or her own negligence shall be retired by the board of [trustees of the police retirement system] **police commissioners or any successor body** upon certification by the medical [director] **board** of the police retirement system and approval by the board of trustees of the police retirement system that the member is mentally or physically unable to perform the duties of a police officer, that the inability is permanent or likely to become permanent, and that the member should be retired.

2. Once each year during the first five years following such member's retirement, and at least once in every three-year period thereafter, the board of trustees may, and upon the member's application shall, require any nonduty disability beneficiary who has not yet attained sixty years of age to undergo a medical examination at a place designated by the medical [director] **board** or such physicians as the medical [director] **board** appoints. If any nonduty disability beneficiary who has not attained sixty years of age refuses to submit to a medical examination, his or her nonduty disability pension may be discontinued until his or her withdrawal of such

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.

18 refusal, and if his or her refusal continues for one year, all rights in and to such pension may be
19 revoked by the board of trustees.

20 3. If the medical [director] **board** certifies to the board of trustees that a nonduty
21 disability beneficiary is able to perform the duties of a police officer, and if the board of trustees
22 concurs on the report, then such beneficiary's nonduty disability pension shall cease.

23 4. If upon cessation of a disability pension under subsection 3 of this section, the former
24 disability beneficiary is restored to active service, he or she shall again become a member, and
25 he or she shall contribute thereafter at the same rate as other members. Upon his or her
26 subsequent retirement, he or she shall be credited with all of his or her active retirement, but not
27 including any time during which the former disability beneficiary received a disability pension
28 under this section.

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