

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 270,  
2 Page 13, Section 86.320, Line 22, by inserting after all of said line the following:

3  
4 "104.037. If a retired member of the Missouri department of transportation and highway  
5 patrol employees' retirement system or the Missouri state employees' retirement system is elected to  
6 any state office, appointed to any state office, or is reemployed by a department and such member  
7 reimburses the retirement system for any amount received as retirement benefits, increased by an  
8 additional amount to account for interest which would have accrued should the retirement benefits  
9 not have been paid, such member shall be considered an active member of the retirement system, and  
10 upon retirement, the member's creditable service shall be calculated as if the member had never  
11 retired and received any retirement benefits.

12 104.380. 1. Except as provided in subsection 2 of this section, if a retired member is elected  
13 to any state office or is appointed to any state office or is employed by a department in a position  
14 normally requiring the performance by the person of duties during not less than one thousand forty  
15 hours per year, the member shall not receive an annuity for any month or part of a month for which  
16 the member serves as an officer or employee, but the member shall be considered to be a new  
17 employee with no previous creditable service and must accrue creditable service continuously for at  
18 least one year in order to receive any additional annuity. Any retired member who again becomes an  
19 employee and who accrues additional creditable service and later retires shall receive an additional  
20 amount of monthly annuity calculated to include only the creditable service and the average  
21 compensation earned by the member since such employment or creditable service earned as a  
22 member of the general assembly. Years of membership service and twelfths of a year are to be used  
23 in calculating any additional annuity except for creditable service earned as a member of the general  
24 assembly, and such additional annuity shall be based on the type of service accrued. In either event,  
25 the original annuity and the additional annuity, if any, shall be paid commencing with the end of the  
26 first month after the month during which the member's term of office has been completed, or the  
27 member's employment terminated. If a retired member is employed by a department in a position  
28 that does not normally require the person to perform duties during at least one thousand forty hours  
29 per year, the member shall not be considered an employee as defined pursuant to section 104.010. A  
30 retired member who becomes reemployed as an employee on or after August 28, 2001, in a position  
31 covered by the Missouri department of transportation and highway patrol employees' retirement  
32 system shall not be eligible to receive retirement benefits or additional creditable service from the  
33 state employees' retirement system. Annual benefit increases paid under section 104.415 shall not  
34 accrue while a retired member is employed as described in this section. Any future annual benefit  
35 increases paid after the member terminates such employment will be paid in the same month as the  
36 member's original annual benefit increases were paid. Benefits paid under subsection 3 of section

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1 104.374 are not applicable to any additional annuity paid under this section.

2 2. If a retired member of the Missouri department of transportation and highway patrol  
3 employees' retirement system or the Missouri state employees' retirement system is elected to any  
4 state office, appointed to any state office, or is reemployed by a department and such member  
5 reimburses the retirement system for any amount received as retirement benefits, increased by an  
6 additional amount to account for interest which would have accrued should the retirement benefits  
7 not have been paid, such member shall be considered an active member of the retirement system, and  
8 upon retirement, the member's creditable service shall be calculated as if the member had never  
9 retired and received any retirement benefits.

10 104.1039. 1. Except as provided in subsection 2 of this section, if a retiree is employed as an  
11 employee by a department, the retiree shall not receive an annuity payment for any calendar month  
12 in which the retiree is so employed. While reemployed the retiree shall be considered to be a new  
13 employee with no previous credited service and must accrue credited service continuously for at  
14 least one year in order to receive any additional annuity. Such retiree shall receive an additional  
15 annuity in addition to the original annuity, calculated based only on the credited service and the pay  
16 earned by such retiree during reemployment and paid in accordance with the annuity option  
17 originally elected; provided such retiree who ceases to receive an annuity pursuant to this section  
18 shall not receive such additional annuity if such retiree is employed by a department in a position  
19 that is covered by a state-sponsored defined benefit retirement plan not created pursuant to this  
20 chapter. The original annuity and any additional annuity shall be paid commencing as of the end of  
21 the first month after the month during which the retiree's reemployment terminates. Cost-of-living  
22 adjustments paid under section 104.1045 shall not accrue while a retiree is employed as described in  
23 this section. Any future cost-of-living adjustments paid after the retiree terminates such employment  
24 will be paid in the same month as the retiree's original annual benefit increases were paid.

25 2. If a retired member of the Missouri department of transportation and highway patrol  
26 employees' retirement system or the Missouri state employees' retirement system is elected to any  
27 state office, appointed to any state office, or is reemployed by a department and such member  
28 reimburses the retirement system for any amount received as retirement benefits, increased by an  
29 additional amount to account for interest which would have accrued should the retirement benefits  
30 not have been paid, such member shall be considered an active member of the retirement system, and  
31 upon retirement, the member's creditable service shall be calculated as if the member had never  
32 retired and received any retirement benefits."; and

33  
34 Further amend said bill by amending the title, enacting clause, and intersectional references  
35 accordingly.