

FIRST REGULAR SESSION

SENATE BILL NO. 296

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR HUMMEL.

Read 1st time January 12, 2017, and ordered printed.

ADRIANE D. CROUSE, Secretary.

1212S.02I

AN ACT

To repeal section 86.207, RSMo, and to enact in lieu thereof one new section relating to membership of the police retirement system of St. Louis as a condition of employment, with an emergency clause.

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

Section A. Section 86.207, RSMo, is repealed and one new section enacted
2 in lieu thereof, to be known as section 86.207, to read as follows:

86.207. 1. Except as provided herein, all persons who become policemen
2 and all policemen who enter or reenter the service of any city not within a county
3 after the first day of October, 1957, become members **of the system** as a
4 condition of their employment and **during the period of their membership**
5 shall receive no pensions or retirement allowance from any other pension or
6 retirement system supported wholly or in part by the city not within a county or
7 the state of Missouri, nor shall they be required to make contributions under any
8 other pension or retirement system of the city not within a county or the state of
9 Missouri for the same period of service[, anything to the contrary
10 notwithstanding. Any employee of a city not within a county who is earning
11 creditable service in a retirement plan established by said city under section
12 95.540 and subsequently becomes a policeman may elect to remain a member of
13 said retirement plan and shall not be required to become a member of a police
14 retirement system established under section 86.200. However,]. **Officers**
15 **employed by a city not within a county and occupying the position of**
16 **"Airport Police Officer" shall not be required to become members as a**
17 **condition of their employment.** An employee of a city not within a county
18 who is earning creditable service in a retirement plan established by said city

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

19 under section 95.540 and who subsequently becomes a policeman may elect to
20 transfer [membership and] creditable service to the police retirement system
21 created under [section] **sections 86.200 to 86.366**. Such transfers are subject
22 to the conditions and requirements contained in section 105.691 and are also
23 subject to any existing agreements between the said retirement plans[; provided
24 however, transfers completed prior to January 1, 2016, shall occur without regard
25 to the vesting requirements of the receiving plan contained in section 105.691].
26 As part of the transfer process described herein, the respective retirement plans
27 may require the employee to acknowledge and agree as a condition of transfer
28 that any election made under this section is irrevocable, constitutes a waiver of
29 any right to receive retirement and disability benefits except as provided by the
30 police retirement system, and that plan terms may be modified in the future.

31 2. If any member ceases to be in service for more than one year unless the
32 member has attained the age of fifty-five or has twenty years or more of
33 creditable service, or if the member withdraws the member's accumulated
34 contributions or if the member receives benefits under the retirement system or
35 dies, the member thereupon ceases to be a member; except in the case of a
36 member who has served in the Armed Forces of the United States and has
37 subsequently been reinstated as a policeman. A member who has terminated
38 employment as a police officer, has actually retired and is receiving retirement
39 benefits under the system shall be considered a retired member.

40 3. A reserve officer shall not be considered a member of the system for the
41 purpose of determining creditable service, nor shall any contributions be due. A
42 reserve officer shall not be entitled to any benefits from the system other than
43 those awarded when the reserve officer originally retired under section 86.250,
44 nor shall service as a reserve officer prohibit distribution of those benefits.

Section B. Because immediate action is necessary to meet the
2 requirements of the Social Security Administration and to prevent the expulsion
3 of Missouri airport officers from the Social Security Program, section A of this act
4 is deemed necessary for the immediate preservation of the public health, welfare,
5 peace and safety, and is hereby declared to be an emergency act within the
6 meaning of the constitution, and section A of this act shall be in full force and
7 effect upon its passage and approval.

✓