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*Senate* BILL NO. *230*  
INTRODUCED BY *Blaylock* *Swysgrod*  
*SOUTHWEST* *QUINCY* *GANN*

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING VESTED MEMBERS OF THE HIGHWAY PATROL OFFICERS' RETIREMENT SYSTEM TO QUALIFY, WITH CERTAIN RESTRICTIONS, UP TO 5 YEARS OF OUT-OF-STATE LAW ENFORCEMENT EMPLOYMENT AS SERVICE UNDER THE HIGHWAY PATROL OFFICERS' RETIREMENT SYSTEM."

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

NEW SECTION. Section 1. Election to qualify law

enforcement service performed in another state. (1) Except as provided in subsections (4) through (6), a member with 5 years or more of creditable service in the highway patrol officers' retirement system may qualify 1 year of out-of-state law enforcement employment for each year of creditable service under the highway patrol officers' retirement system, up to a maximum of 5 years, provided that he is not eligible to receive a retirement benefit for that out-of-state law enforcement employment.

(2) To qualify this service, a member shall:

- (a) at any time before his retirement, make a written election with the board to qualify the service; and
- (b) contribute to the retirement fund the actuarial cost of granting the service in the highway patrol officers'

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retirement system, as determined by the board, based on:  
(i) his compensation for the 12 months immediately preceding the date of his election to cover the service under the highway patrol officers' retirement system; and  
(ii) the total contribution rate in effect at the time of purchase of service.  
(3) Contributions to qualify service under this section may be made in a lump-sum payment or in installments as agreed upon by the member and the board.  
(4) Service qualified under this section may not be:  
(a) credited in any other retirement system under Title 19; or  
(b) used to qualify a member to purchase military service under 19-6-304.  
(5) Service qualified under this section may not be used in calculating a member's retirement allowance unless the last 5 years of creditable service were earned under the highway patrol officers' retirement system. If a member's qualified service may not be used in calculating his retirement allowance, he may choose to receive a refund of the contributions made to qualify the service.  
(6) The combined total service qualified under this section and military service qualified under 19-6-304 may not exceed 5 years.

NEW SECTION. Section 2. Codification instruction.



LC 1439/01

1 [Section 1] is intended to be codified as an integral part  
2 of Title 19, chapter 6, part 3, and the provisions of Title  
3 19, chapter 6, part 3, apply to [section 1].

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB0230, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:


An act allowing vested members of the Highway Patrol Officers' Retirement System to qualify, with certain restrictions, up to five years of out-of-state law enforcement employment as creditable service for the purpose of calculating retirement benefits.


ASSUMPTIONS:

1. A vested member of the Highway Patrol Officers' Retirement System (HWPORS) may qualify one year of out-of-state law enforcement employment for one year of creditable service under HWPORS up to a maximum of five more years of additional creditable service. This same member will be limited to purchasing a maximum of five years of military and out-of-state law enforcement service combined.
2. The inclusion of out-of-state law enforcement service into the calculation of creditable service under HWPORS will not impact the employee or employer contribution rate. All costs will be paid by the member purchasing the additional years of creditable service.
3. The executive budget recommendation for the Public Employees' Retirement Division of the Department of Administration is sufficient to absorb the increased workload caused by the proposed legislation.

FISCAL IMPACT:

None

  
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ROD SUNDSTED, BUDGET DIRECTOR      2-4-91  
Office of Budget and Program Planning      DATE

  
\_\_\_\_\_  
CHET BLAYLOCK, PRIMARY SPONSOR      2/5/91  
Fiscal Note for SB0230, as introduced.      DATE

SB 230

APPROVED BY COMMITTEE  
ON STATE ADMINISTRATION

1 *Senate* BILL NO. *230*  
2 INTRODUCED BY *Blum/ock* *Swys900*  
3 *SOUTHWORTH* *GAVIN*

4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING VESTED MEMBERS  
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15 officers' retirement system may qualify 1 year of  
16 out-of-state law enforcement employment for each year of  
17 creditable service under the highway patrol officers'  
18 retirement system, up to a maximum of 5 years, provided that  
19 he is not eligible to receive a retirement benefit for that  
20 out-of-state law enforcement employment.

21 (2) To qualify this service, a member shall:  
22 (a) at any time before his retirement, make a written  
23 election with the board to qualify the service; and  
24 (b) contribute to the retirement fund the actuarial  
25 cost of granting the service in the highway patrol officers'

1 retirement system, as determined by the board, based on:

2 (i) his compensation for the 12 months immediately  
3 preceding the date of his election to cover the service  
4 under the highway patrol officers' retirement system; and  
5 (ii) the total contribution rate in effect at the time  
6 of purchase of service.

7 (3) Contributions to qualify service under this section  
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14 service under 19-6-304.

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16 used in calculating a member's retirement allowance unless  
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19 qualified service may not be used in calculating his  
20 retirement allowance, he may choose to receive a refund of  
21 the contributions made to qualify the service.

22 (6) The combined total service qualified under this  
23 section and military service qualified under 19-6-304 may  
24 not exceed 5 years.

25 NEW SECTION. Section 2. Codification instruction.

SECOND READING



LC 1439/01

1 [Section 1] is intended to be codified as an integral part  
2 of Title 19, chapter 6, part 3, and the provisions of Title  
3 19, chapter 6, part 3, apply to [section 1].

-End-

1 SENATE BILL NO. 230  
 2 INTRODUCED BY Bly/led Swys900  
 3 SOUTHWEST GAVIA

4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING VESTED MEMBERS  
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25 NEW SECTION. Section 2. Codification instruction.

THIRD READING



LC 1439/01

1 [Section 1] is intended to be codified as an integral part  
2 of Title 19, chapter 6, part 3, and the provisions of Title  
3 19, chapter 6, part 3, apply to [section 1].

-End-



## 1 SENATE BILL NO. 230

2 INTRODUCED BY BLAYLOCK, CLARK, SWYSGOOD, SOUTHWORTH,

3 WANZENRIED, GALVIN

4  
5 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING VESTED MEMBERS  
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25 not exceed 5 years.

1        **NEW SECTION. Section 2.** Codification        instruction.  
2        [Section 1] is intended to be codified as an integral part  
3        of Title 19, chapter 6, part 3, and the provisions of Title  
4        19, chapter 6, part 3, apply to [section 1].

-End-