

**Teachers—Retirement.**

A teacher who had earned retirement before amendment to Section 1117 R.C.M. 1921 in 1927, is entitled to retirement salary upon paying the amount required before amendment.

Miss May Trumper, December 6, 1928.  
Superintendent of Public Instruction,  
Helena, Montana.

My dear Miss Trumper:

You have requested my opinion on the following matter:

“A teacher of Montana presented her claim for retirement in 1924, and her claim was favorably acted upon by the retirement board. She did not choose to retire at that time but is desirous of retiring January 1, 1929. She wishes at this time to know what payments she will need to make to the retirement fund before beginning to draw from that fund. Will the requirements of Section 1117 as amended March 9, 1927, apply to her case, or will her payments to the fund be only \$300 as previously required by the law?”

A teacher having earned retirement before the retirement act was changed with respect to the amount required to be paid in, in my opinion, is entitled to the benefits of the act upon paying in such sum as she was required to pay under Section 1117 before amendment.

Very truly yours,  
L. A. FOOT,  
Attorney General.