

CHAPTER NO. 107

HOUSE BILL NO. 51

INTRODUCED BY DONALDSON

BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION

IN THE HOUSE

January 4, 1979

Introduced and referred to
Committee on State Adminis-
tration.

January 6, 1979

On motion, joint rule 6-6 suspended and sponsor's signature allowed to be added to prefilled bill.

January 19, 1979

Committee recommend bill
do pass. Report adopted.

January 20, 1979

Printed and placed on members' desks.

January 22, 1979

Second reading, do pass.

January 23, 1979

Considered correctly
engrossed.

January 24, 1979

Third reading, passed.
Transmitted to second house.

IN THE SENATE

January 25, 1979

Introduced and referred to
Committee on State Adminis-
tration.

March 2, 1979

Committee recommend bill
be concurred in. Report
adopted.

March 5, 1979

Second reading, concurred in.

March 7, 1979

IN THE HOUSE

March 8, 1979

Returned from second house.
Concurred in. Sent to
enrolling.

Reported correctly enrolled.

1 HOUSE BILL NO. 51

2 INTRODUCED BY _____

3 BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION

4

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION

6 19-3-703, MCA, TO PERMIT THE PAYMENT OF ALL OR PART OF A

7 PERS MEMBER'S REFUND OF ACCUMULATED CONTRIBUTIONS DIRECTLY

8 TO HIS EMPLOYER WHENEVER THE MEMBER AND THE EMPLOYER SO

9 REQUEST AND THE EMPLOYER HAS AN EMPLOYMENT-RELATED CLAIM

10 AGAINST THE MEMBER."

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

12 Section 1. Section 19-3-703, MCA, is amended to read:

13 "19-3-703. Refund of member's contributions on

14 termination of service. (1) Except as provided in this

15 section, any member whose service has been discontinued by

16 other than death or retirement shall be paid such part of

17 his accumulated contributions, including regular interest

18 thereon, as he requests. If he has less than 5 years of

19 service and he does not reenter service for a period of 5

20 years after such discontinuance, he shall automatically be

21 paid any portion of his total accumulated contributions not

22 previously withdrawn.

23 (2) Upon qualification for any other benefit under

24 this chapter, a member having any accumulated normal

1 contributions standing to his credit in the retirement fund

2 shall receive the benefit based upon the creditable service

3 during which such contributions were made.

4 (3) The board may, in its discretion, withhold for

5 not more than 1 year after a member last rendered service

6 all or part of his accumulated normal contributions if after

7 a previous discontinuance of service he withdrew all or part

8 of his normal contributions and failed to redeposit such

9 withdrawn amount in the retirement fund as provided in

10 19-3-704.

11 (4) An employer who has an employment-related claim

12 against a terminating member may, within 30 days after the

13 date of termination, submit to the board a written request

14 signed by the employer and the member, authorizing the

15 payment of all or any part of the accumulated contributions

16 of the member directly to the employer to satisfy the claim

17 in whole or in part. The request, if timely submitted, is

18 sufficient authority for the department of administration to

19 make such direct payment to the employer as part of the

20 member's refund. The total of the payments made to the

21 employer and those made to the member may not exceed the

22 member's accumulated contributions."

-End-

Approved by Committee
on State Administration

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11 141. An employer who has an employment-related claim
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