

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 Administration.
January 6, 1979	On motion, joint rule 6-6 suspended and sponsor's signature allowed to be added to prefiled 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 Administration.
March 2, 1979	Committee recommend bill be concurred in. Report adopted.
March 5, 1979	Second reading, concurred in.
March 7, 1979	Third reading, concurred in.

IN THE HOUSE

March 8, 1979

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

Reported correctly enrolled.

HOUSE BILL NO. 51

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BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION

A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION 19-3-703, MCA, TO PERMIT THE PAYMENT OF ALL OR PART OF A PERS MEMBER'S REFUND OF ACCUMULATED CONTRIBUTIONS DIRECTLY TO HIS EMPLOYER WHENEVER THE MEMBER AND THE EMPLOYER SO REQUEST AND THE EMPLOYER HAS AN EMPLOYMENT-RELATED CLAIM AGAINST THE MEMBER."

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

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

"19-3-703. Refund of member's contributions on termination of service. (1) Except as provided in this section, any member whose service has been discontinued by other than death or retirement shall be paid such part of his accumulated contributions, including regular interest thereon, as he requests. If he has less than 5 years of service and he does not reenter service for a period of 5 years after such discontinuance, he shall automatically be paid any portion of his total accumulated contributions not previously withdrawn.

(2) Upon qualification for any other benefit under this chapter, a member having any accumulated normal

contributions standing to his credit in the retirement fund shall receive the benefit based upon the creditable service during which such contributions were made.

(3) The board may, in its discretion, withhold, for not more than 1 year after a member last rendered service, all or part of his accumulated normal contributions if after a previous discontinuance of service he withdrew all or part of his normal contributions and failed to redeposit such withdrawn amount in the retirement fund as provided in 19-3-704.

~~(4) An employer who has an employment-related claim against a terminating member may, within 30 days after the date of termination, submit to the board a written request, signed by the employer and the member, authorizing the payment of all or any part of the accumulated contributions of the member directly to the employer to satisfy the claim in whole or in part. The request, if timely submitted, is sufficient authority for the department of administration to make such direct payment to the employer as part of the member's refund. The total of the payments made to the employer and those made to the member may not exceed the member's accumulated contributions."~~

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Approved by Committee
on State Administration

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