

1 House BILL NO. 484
 2 INTRODUCED BY Raymond Smith - McConaughy
 3 Gilbert D. Smith 1/27/82

4 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING
 5 PROVISIONS CONCERNING THE SHERIFFS' RETIREMENT SYSTEM;
 6 EXCLUDING CERTAIN RETIRED SHERIFFS FROM MEMBERSHIP IN THE
 7 SYSTEM; PROVIDING A REDUCTION IN THE RETIREMENT ALLOWANCE
 8 RECEIVED BY THESE SHERIFFS; REVISING THE METHOD FOR
 9 CALCULATING AN OPTIONAL DEATH BENEFIT UNDER THE SYSTEM;
 10 AMENDING SECTIONS 19-7-301 AND 19-7-604, MCA; AND PROVIDING
 11 AN EFFECTIVE DATE."

12
 13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

14 Section 1. Section 19-7-301, MCA, is amended to read:
 15 "19-7-301. Membership -- exclusions -- allowance
 16 reduction. (1) Every sheriff is required to become a member
 17 of the sheriffs' retirement system on July 1, 1974, unless
 18 he was previously a member of the public employees'
 19 retirement system, in which case he may at his option become
 20 a member of the sheriffs' retirement system. All sheriffs
 21 who become members of the sheriffs' retirement system must
 22 remain members so long as actively employed in such
 23 capacity, except as provided in subsection (2).

24 (2) A retired sheriff who is employed as a sheriff
 25 after retirement for less than 60 working days in a calendar

1 year is excluded from membership. The retirement allowance
 2 of a retired sheriff so employed must be reduced by \$1 for
 3 each \$3 earned in excess of \$5,000 in a calendar year."

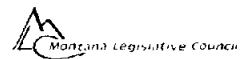
4 Section 2. Section 19-7-604, MCA, is amended to read:
 5 "19-7-604. Payments in case of death before
 6 retirement. (1) If a member dies before retirement, his
 7 beneficiary is entitled to elect one of the following
 8 options for which the member qualified and the beneficiary
 9 qualifies:

10 (a) a lump-sum payment of the accumulated deductions
 11 standing to the member's credit at his death;

12 (b) a retirement allowance based on 2% of the final
 13 salary for each year of service up to a maximum of 25 years,
 14 reduced actuarially from age 65 or the date he would have
 15 completed 25 years of creditable service, whichever provides
 16 a larger retirement allowance;

17 (c) a retirement allowance based on one-half of final
 18 salary, reduced to 25% of final salary for the period of
 19 time the beneficiary receives workers' compensation, if the
 20 board finds that the member died as a direct and proximate
 21 result of injuries received in the course of employment.

22 (2) On or before July 1, 1982, a beneficiary who is
 23 receiving a death benefit may elect a different option under
 24 subsection (1). Any change in options is subject to
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INTRODUCED BILL
HB-484

1 change as determined by the board."

2 NEW SECTION. Section 3. Extension of authority. Any
3 existing authority of the public employees' retirement board
4 to make rules on the subject of the provisions of this act
5 is extended to the provisions of this act.

6 NEW SECTION. Section 4. Effective date. This act is
7 effective July 1, 1987.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB484, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act generally revising provisions concerning the Sheriff's Retirement System; excluding certain retired sheriffs from membership in the system; providing a reduction in the retirement allowance received by these sheriffs; revising the method for calculating an optional death benefit under the system.

ASSUMPTIONS:

The provisions of this bill may provide a small increase in death benefits to some beneficiaries of sheriffs.

FISCAL IMPACT:

No fiscal impact can be calculated at this time.

EFFECT ON COUNTY OR OTHER LOCAL REVENUE OR EXPENDITURES:

None.

LONG-RANGE EFFECTS OF PROPOSED LEGISLATION:

None.

TECHNICAL OR MECHANICAL DEFECTS IN PROPOSED LEGISLATION OR CONFLICTS WITH EXISTING LEGISLATION:

There is currently a bill before the Legislature (HB306) to change the retirement eligibility provisions in current law. If that bill is successful, the provisions of this bill should be coordinated with that bill.

David L. Hunter DATE 2/2/87
DAVID L. HUNTER, BUDGET DIRECTOR
Office of Budget and Program Planning

Hal Harper DATE 2/2
HAL HARPER, PRIMARY SPONSOR
Fiscal Note for HB484, as introduced.

HB 484

APPROVED BY COMMITTEE
ON STATE ADMINISTRATION

1 House BILL/NO. 484
 2 INTRODUCTION BY Wayne Smith McComish
 3 Gilbert Spaulding JR

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 3 Gilbert Dorey P.A.T.H.

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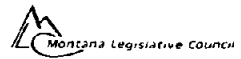
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INTRODUCED BY HARPER, STRIZICH, MCCORMICK,
GOULD, GILBERT, GRADY, NATHE

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