

**HB 105 Partial Payment of Salary for Injured Deputy Sheriff
Conceptual Amendment**

The Montana Public Employees' Retirement Board (PER Board), which administers the Sheriff's Retirement System (SRS), learned of HB 105 after the House Local Government committee heard the bill. It appears to the PER Board that the intent of HB 105 is to provide the same compensation benefit to injured deputy sheriffs that is currently provided to injured police officers (§ 7-32-4132, MCA) and to firefighters (§ 7-33-4133, MCA). However, the proposed legislation, unlike existing legislation for police officers and firefighters, does not address the payment of retirement contributions on that compensation.

One factor considered by the PER Board when reviewing legislation is whether the proposed legislation will result in consistency between comparable systems. It appears HB 105 could meet this goal provided it is amended to address payment of SRS retirement contributions on the compensation in the same manner that payment of contributions is now made to the Municipal Police Officers' Retirement System (MPORS) and the Firefighters Unified Retirement System (FURS).

Specifically, the Board requests that § 19-7-810, MCA, be repealed and that a new section be adopted similar to either § 19-9-706, MCA (MPORS) or § 19-13-601, MCA (FURS). The new section should be located in part 4 of Title 19, chapter 7.

NEW SECTION. SECTION 3 [19-7-4xx] CONTRIBUTIONS BASED ON TOTAL COMPENSATION WHEN MEMBER RECEIVES DISABILITY COMPENSATION. When a member receives compensation from both the member's employer and the workers' compensation program under the provisions of [SECTION 1], the member's compensation reported by the employer is the same as if the member was in active service, and the member and employer contributions required by this chapter must be calculated and paid on that total compensation.

SECTION 4. REPEAL 19-7-810.

Senator Gebhardt
Please consider introducing
this amendment when
Senate Local Government
takes Executive Action on
HB 105. Thank you
Melvin Symons