

1 HOUSE BILL NO. 392

2 INTRODUCED BY F. GARNER

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4 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING PROVISIONS CONCERNING THE
5 REEMPLOYMENT OF MEMBERS OF THE MUNICIPAL POLICE OFFICERS' RETIREMENT SYSTEM; AND
6 PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE."

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

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10 NEW SECTION. **Section 1. Reemployment of members.** (1) If a retired member with less than 20
11 years of service in the retirement system who is at least 50 years of age returns to employment covered by the
12 retirement system, on reemployment:

13 (a) the member's retirement benefit must cease;

14 (b) the member becomes a vested active member;

15 (c) the member shall repay the retirement system the amount of any retirement benefit received, plus
16 interest at the actuarially assumed rate of return on the system's investments; and17 (d) on subsequent retirement, the member's retirement benefit must be calculated based on the
18 member's total service under the system.19 (2) If a retired member with 20 or more years of service returns to employment covered by the retirement
20 system, on reemployment:

21 (a) the member's retirement benefit must cease;

22 (b) the member becomes a vested active member;

23 (c) on subsequent retirement, the member's retirement benefit payable prior to the reemployment must
24 resume; and25 (d) the member is entitled to an additional new retirement benefit that is calculated based on the
26 member's new service credit earned and final average compensation after the reemployment.27 (3) If a member who is not a retired member returns to employment covered by the retirement system,
28 on reemployment, the member becomes an active member and continues to accrue membership service or
29 service credit as if there had been no break in service.

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1 NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an
2 integral part of Title 19, chapter 9, and the provisions of Title 19, chapter 9, apply to [section 1].

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4 NEW SECTION. **Section 3. Effective date.** [This act] is effective on passage and approval.

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6 NEW SECTION. **Section 4. Retroactive applicability.** [This act] applies retroactively, within the
7 meaning of 1-2-109, to reemployment of members of the municipal police officers' retirement system on and after
8 December 1, 2014.

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