



AN ACT ESTABLISHING PROVISIONS CONCERNING THE REEMPLOYMENT OF MEMBERS OF THE MUNICIPAL POLICE OFFICERS' RETIREMENT SYSTEM; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE.

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

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

- (a) the member's retirement benefit must cease;
- (b) the member becomes a vested active member;
- (c) the member shall repay the retirement system the amount of any retirement benefit received, plus interest at the actuarially assumed rate of return on the system's investments; and
- (d) on subsequent retirement, the member's retirement benefit must be calculated based on the member's total service under the system.

(2) If a retired member with 20 or more years of service returns to employment covered by the retirement system, on reemployment:

- (a) the member's retirement benefit must cease;
- (b) the member becomes a vested active member;
- (c) on subsequent retirement, the member's retirement benefit payable prior to the reemployment must resume; and
- (d) the member is entitled to an additional new retirement benefit that is calculated based on the member's new service credit earned and final average compensation after the reemployment.

(3) If a member who is not a retired member returns to employment covered by the retirement system, on reemployment, the member becomes an active member and continues to accrue membership service or service credit as if there had been no break in service.

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

Section 3. Effective date. [This act] is effective on passage and approval.

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

- END -

I hereby certify that the within bill,
HB 0392, originated in the House.

Chief Clerk of the House

Speaker of the House

Signed this _____ day
of _____, 2015.

President of the Senate

Signed this _____ day
of _____, 2015.

HOUSE BILL NO. 392

INTRODUCED BY F. GARNER

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