SENATE BILL NO. 66

INTRODUCED BY J. BOHLINGER

BY REQUEST OF THE STATE ADMINISTRATION AND VETERANS' AFFAIRS INTERIM COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT ELIMINATING THE REQUIREMENT THAT A MEMBER OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM MUST HAVE AT LEAST 10 YEARS OF SERVICE CREDIT TO PURCHASE MILITARY SERVICE; PROVIDING THAT ANY VESTED MEMBER OF THE SYSTEM MAY PURCHASE THE SERVICE; AMENDING SECTION 19-3-503, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

        Section 1. Section 19-3-503, MCA, is amended to read:

        "19-3-503. Application to purchase military service. (1) (a) Except as provided in subsection (2) and subject to 19-3-514, a <u>vested</u> member with at least 10 years of service credit may, at any time prior to retirement, file a written application with the board to purchase service credit for up to 5 years of the member's active service in the armed forces of the United States, including the first special service force or the American merchant marine in oceangoing service during the period of armed conflict, December 7, 1941, to August 15, 1945.

        (b) To purchase this service, the member shall pay the actuarial cost of the member's military service, based on the system's most recent actuarial valuation.

        (2) A member is not eligible to purchase military service under this section if the member:

        (a) has retired from active duty in the armed forces of the United States, including the first special service force or the American merchant marine in oceangoing service during the period of armed conflict, December 7, 1941, to August 15, 1945, with a military service retirement benefit based on that military service;

        (b) is eligible, pursuant to 19-2-707, to receive credit in the system for that service; or

        (c) is eligible to receive credit for that service in any other retirement system or plan."

        <u>NEW SECTION.</u> **Section 2. Effective date.** [This act] is effective on passage and approval.

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