

FIRST REGULAR SESSION
[P E R F E C T E D]
SENATE COMMITTEE SUBSTITUTE FOR
**SENATE BILLS NOS. 202,
33, 45, 183 & 217**

93RD GENERAL ASSEMBLY

Reported from the Committee on Pension, Veterans' Affairs and General Laws, February 7, 2005, with recommendation that the Senate Committee Substitute do pass.

Senate Committee Substitute for Senate Bills Nos. 202, 33, 45, 183 and 217, adopted February 10, 2005.

Taken up for Perfection February 10, 2005. Bill declared Perfected and Ordered Printed, as amended.

TERRY L. SPIELER, Secretary.

1095S.03P

AN ACT

To repeal section 287.845, RSMo, and to enact in lieu thereof two new sections relating to retirement, with an emergency clause.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 287.845, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 287.813 and 287.845, to read as follows:

287.813. Any administrative law judge or legal advisor who is originally employed as such on or after the effective date of this act, and who has not previously been covered by the administrative law judge's and legal advisor's retirement system under sections 287.812 to 287.856, shall not be eligible to participate in that system. Such administrative law judge or legal advisor shall participate in the state employees' retirement system under chapter 104, RSMo, if otherwise eligible under the applicable provisions of law contained in that chapter.

287.845. 1. The board shall administer the provisions of sections 287.812 to 287.855 and shall have the same powers, duties, and obligations in regard to the funds and the system provided for in such sections as it has in regard to the Missouri state employees' retirement system. The system shall calculate the

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

annuity for an administrative law judge or legal advisor, as defined in section 287.812 based on the law in effect at the time the administrative law judge's or legal [advisory's] **advisor's** employment was terminated.

2. The commissioner of administration, the state treasurer, and the secretary of the Missouri state employees' retirement system shall perform the same duties in regard to the retirement system established pursuant to the provisions of sections 287.812 to 287.855 that are prescribed for such officers in sections 104.436 and 104.438, RSMo, in regard to the Missouri state employees' retirement system. Funds so certified and transferred for the retirement system established pursuant to the provisions of sections 287.812 to 287.855 shall be deposited in a separate account of the Missouri state employees' retirement fund and shall be disbursed only for the purposes of sections 287.812 to 287.855.

3. As of the effective date of this act, the liabilities and assets of the administrative law judge's and legal advisor's retirement system shall be transferred and combined with the state employees' retirement system. The contribution rate certified by the board pursuant to section 104.1066, RSMo, for the state employees' retirement system after the effective date of this act, shall include amounts necessary to cover the costs of the administrative law judge's and legal advisor's retirement system. No alteration, amendment, or repeal of the administrative law judge's and legal advisor's retirement system shall affect the then existing rights of members, or their spouses, beneficiaries, or former spouses, but shall be effective only as to rights that would otherwise accrue hereunder as a result of services rendered by a member after such alteration, amendment, or repeal.

Section B. Because of the state of Missouri's retirement systems need to maintain the highest level of integrity and fairness, section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section A of this act shall be in full force and effect upon its passage and approval.