

SECOND REGULAR SESSION

SENATE BILL NO. 994

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR CROWELL.

Read 1st time January 22, 2008, and ordered printed.

TERRY L. SPIELER, Secretary.

4440S.011

AN ACT

To repeal section 169.010, RSMo, and to enact in lieu thereof one new section relating to the public school retirement system of Missouri.

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

Section A. Section 169.010, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 169.010, to read as follows:

169.010. The following words and phrases, as used in sections 169.010 to
2 169.130, unless a different meaning is plainly required by the context, shall have
3 the following meanings:

4 (1) "Accumulated contributions" shall mean the sum of the annual
5 contributions a member has made to the retirement system through deductions
6 from the member's salary, plus interest compounded annually on each year's
7 contributions from the end of the school year during which such contributions
8 were made;

9 (2) "Board" shall mean the board of trustees provided for in sections
10 169.010 to 169.130;

11 (3) "Creditable service" shall mean prior service or membership service,
12 or the sum of the two, if the member has both to the member's credit;

13 (4) "District" shall mean public school, as herein defined;

14 (5) "Employ" shall have a meaning agreeable with that herein given to
15 employer and employee;

16 (6) "Employee" shall be synonymous with the term "teacher" as the same
17 is herein defined;

18 (7) "Employer" shall mean the district that makes payment directly to the
19 teacher or employee for such person's services;

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

20 (8) "Final average salary" shall mean the total compensation payable to
21 a member for any three consecutive years of creditable service, as elected by the
22 member, divided by thirty-six; with the proviso that any annual compensation
23 entering into the total compensation shall not exceed twelve thousand six
24 hundred dollars for any year prior to July 1, 1967; and with the proviso that the
25 board may set a maximum percentage of increase in annual compensation from
26 one year to the next in the final average salary period. In no instance shall the
27 maximum percentage of increase in annual compensation from one year to the
28 next in the final average salary period exceed [ten] **twenty** percent. This limit
29 will not apply to increases due to bonafide changes in position or employer
30 increases required by state statute, or districtwide salary schedule adjustments
31 for previously unrecognized education-related services;

32 (9) "Member" shall mean a person who holds membership in the
33 retirement system;

34 (10) "Membership service" shall mean service rendered by a member of
35 the retirement system after the system becomes operative, and may include a
36 period of service in the armed forces of the United States as provided for in
37 section 169.055;

38 (11) "Prior service" shall mean service rendered by a member of the
39 retirement system before the system becomes operative, and may include service
40 rendered by a member of the armed forces if the member was a teacher at the
41 time the member was inducted, for which credit has been approved by the board
42 of trustees;

43 (12) "Public school" shall mean any school conducted within the state
44 under the authority and supervision of a duly elected district or city or town
45 board of directors or board of education and the board of regents of the several
46 state teachers' colleges, or state colleges, board of trustees of the public school
47 retirement system of Missouri, and also the state of Missouri and each county
48 thereof, to the extent that the state and the several counties are employers of
49 teachers as herein designated;

50 (13) "Retirement allowance" shall mean a monthly payment for life during
51 retirement;

52 (14) "Retirement system" or "system" shall mean the public school
53 retirement system of Missouri created by sections 169.010 to 169.130;

54 (15) "Salary", "salary rate" or "compensation" shall mean the regular
55 remuneration, including any payments made pursuant to sections 168.500 to

56 168.515, RSMo, which is earned by a member as an employee of a district, but not
57 including employer-paid fringe benefits except the value of employer-paid medical
58 benefits (including dental and vision) for members, and not including
59 employer-paid medical benefits (including dental and vision) for anyone other
60 than the member, employer contributions to any deferred compensation plan,
61 consideration for agreeing to terminate employment or other nonrecurring or
62 unusual payments that are not a part of regular remuneration. The board by its
63 rules may further define salary, salary rate and compensation in a manner
64 consistent with this definition and with sections 169.010 to 169.141;

65 (16) "School year" shall mean the year from July first of one year to June
66 thirtieth of next year, inclusive, which shall also be the fiscal year of the system;

67 (17) "Teacher" shall mean any person who shall be employed by any public
68 school on a full-time basis and who shall be duly certificated under the law
69 governing the certification of teachers; any person employed in the state
70 department of elementary and secondary education or by the state board of
71 education on a full-time basis who shall be duly certificated under the law
72 governing the certification of teachers and who did not become a member of the
73 Missouri state employees' retirement system pursuant to section 104.342, RSMo;
74 and persons employed by the board of trustees of the public school retirement
75 system of Missouri on a full-time basis who shall be duly certified under the law
76 governing the certification of teachers. The term "teacher" shall be synonymous
77 with the term "employee" as defined in this section.

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