

CONFERENCE COMMITTEE SUBSTITUTE

FOR

HOUSE COMMITTEE SUBSTITUTE

FOR

SENATE SUBSTITUTE

FOR

SENATE BILL NO. 62

AN ACT

To repeal sections 52.290, 86.207, 104.1091, 104.1205, 105.669, 137.280, 137.345, 140.100, 169.141, 169.324, 169.460, 169.490, 169.560, and 169.715, RSMo, and to enact in lieu thereof fifteen new sections relating to public employee retirement, with penalty provisions and delayed effective dates for certain sections.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

1 Section A. Sections 52.290, 86.207, 104.1091, 104.1205,
2 105.669, 137.280, 137.345, 140.100, 169.141, 169.324, 169.460,
3 169.490, 169.560, and 169.715, RSMo, are repealed and fifteen new
4 sections enacted in lieu thereof, to be known as sections 52.290,
5 86.207, 104.1091, 104.1092, 104.1205, 105.669, 137.280, 137.345,
6 140.100, 169.141, 169.324, 169.460, 169.490, 169.560, and
7 169.715, to read as follows:

8 52.290. 1. In all counties except counties having a
9 charter form of government before January 1, 2008, and any city
10 not within a county, the collector shall collect on behalf of the
11 county a fee for the collection of delinquent and back taxes of
12 [seven] nine percent on all sums collected to be added to the
13 face of the tax bill and collected from the party paying the tax.

1 ~~Two-sevenths~~ Of the nine percent of the fees collected pursuant
2 to the provisions of this section, ~~two-ninths~~ shall be paid into
3 the county general fund, ~~[two-sevenths of the fees collected~~
4 ~~pursuant to the provisions of this section]~~ two-ninths shall be
5 paid into the tax maintenance fund of the county as required by
6 section 52.312, and ~~[three-sevenths of the fees collected~~
7 ~~pursuant to the provisions of this section]~~ five-ninths shall be
8 paid into the county employees' retirement fund created by
9 sections 50.1000 to 50.1200. Notwithstanding provisions of law
10 to the contrary, an authorization for collection of a fee for the
11 collection of delinquent and back taxes in a county's charter, at
12 a rate different than the rate allowed by law, shall control.

13 2. In all counties having a charter form of government,
14 other than any county adopting a charter form of government after
15 January 1, 2008, and any city not within a county, the collector
16 shall collect on behalf of the county and pay into the county
17 general fund a fee for the collection of delinquent and back
18 taxes of two percent on all sums collected to be added to the
19 face of the tax bill and collected from the party paying the tax
20 except that in a county with a charter form of government and
21 with more than two hundred fifty thousand but less than seven
22 hundred thousand inhabitants, the collector shall collect on
23 behalf of the county a fee for the collection of delinquent and
24 back taxes of three percent on all sums collected to be added to
25 the face of the tax bill and collected from the party paying the
26 tax. If a county is required by section 52.312 to establish a
27 tax maintenance fund, one-third of the fees collected under this
28 subsection shall be paid into that fund; otherwise, all fees

1 collected under the provisions of this subsection shall be paid
2 into the county general fund.

3 3. Such county collector may accept credit cards as proper
4 form of payment of outstanding delinquent and back taxes due. No
5 county collector may charge a surcharge for payment by credit
6 card.

7 86.207. 1. Except as provided herein, all persons who
8 become policemen and all policemen who enter or reenter the
9 service of any city not within a county after the first day of
10 October, 1957, become members of the system as a condition of
11 their employment and during the period of their membership shall
12 receive no pensions or retirement allowance from any other
13 pension or retirement system supported wholly or in part by the
14 city not within a county or the state of Missouri, nor shall they
15 be required to make contributions under any other pension or
16 retirement system of the city not within a county or the state of
17 Missouri for the same period of service[, anything to the
18 contrary notwithstanding. Any employee of a city not within a
19 county who is earning creditable service in a retirement plan
20 established by said city under section 95.540 and subsequently
21 becomes a policeman may elect to remain a member of said
22 retirement plan and shall not be required to become a member of a
23 police retirement system established under section 86.200.

24 However,]. Officers employed by a city not within a county and
25 occupying the position of "Airport Police Officer" shall not be
26 required to become members as a condition of their employment.

27 An employee of a city not within a county who is earning
28 creditable service in a retirement plan established by said city

1 under section 95.540 and who subsequently becomes a policeman may
2 elect to transfer [membership and] creditable service to the
3 police retirement system created under [section] sections 86.200
4 to 86.366. Such transfers are subject to the conditions and
5 requirements contained in section 105.691 and are also subject to
6 any existing agreements between the said retirement plans[;
7 provided however, transfers completed prior to January 1, 2016,
8 shall occur without regard to the vesting requirements of the
9 receiving plan contained in section 105.691]. As part of the
10 transfer process described herein, the respective retirement
11 plans may require the employee to acknowledge and agree as a
12 condition of transfer that any election made under this section
13 is irrevocable, constitutes a waiver of any right to receive
14 retirement and disability benefits except as provided by the
15 police retirement system, and that plan terms may be modified in
16 the future.

17 2. If any member ceases to be in service for more than one
18 year unless the member has attained the age of fifty-five or has
19 twenty years or more of creditable service, or if the member
20 withdraws the member's accumulated contributions or if the member
21 receives benefits under the retirement system or dies, the member
22 thereupon ceases to be a member; except in the case of a member
23 who has served in the Armed Forces of the United States and has
24 subsequently been reinstated as a policeman. A member who has
25 terminated employment as a police officer, has actually retired
26 and is receiving retirement benefits under the system shall be
27 considered a retired member.

28 3. A reserve officer shall not be considered a member of

1 the system for the purpose of determining creditable service, nor
2 shall any contributions be due. A reserve officer shall not be
3 entitled to any benefits from the system other than those awarded
4 when the reserve officer originally retired under section 86.250,
5 nor shall service as a reserve officer prohibit distribution of
6 those benefits.

7 104.1091. 1. Notwithstanding any provision of the year
8 2000 plan to the contrary, each person who first becomes an
9 employee on or after January 1, 2011, shall be a member of the
10 year 2000 plan subject to the provisions of this section.

11 2. A member's normal retirement eligibility shall be as
12 follows:

13 (1) The member's attainment of at least age sixty-seven and
14 the completion of at least ten years of credited service; or the
15 member's attainment of at least age fifty-five with the sum of
16 the member's age and credited service equaling at least ninety;
17 or, in the case of a member who is serving as a uniformed member
18 of the highway patrol and subject to the mandatory retirement
19 provisions of section 104.081, such member's attainment of at
20 least age sixty or the attainment of at least age fifty-five with
21 ten years of credited service;

22 (2) For members of the general assembly, the member's
23 attainment of at least age sixty-two and the completion of at
24 least three full biennial assemblies; or the member's attainment
25 of at least age fifty-five with the sum of the member's age and
26 credited service equaling at least ninety;

27 (3) For statewide elected officials, the official's
28 attainment of at least age sixty-two and the completion of at

1 least four years of credited service; or the official's
2 attainment of at least age fifty-five with the sum of the
3 official's age and credited service equaling at least ninety.

4 3. A vested former member's normal retirement eligibility
5 shall be based on the attainment of at least age sixty-seven and
6 the completion of at least ten years of credited service.

7 4. A temporary annuity paid pursuant to subsection 4 of
8 section 104.1024 shall be payable if the member has attained at
9 least age fifty-five with the sum of the member's age and
10 credited service equaling at least ninety; or in the case of a
11 member who is serving as a uniformed member of the highway patrol
12 and subject to the mandatory retirement provisions of section
13 104.081, the temporary annuity shall be payable if the member has
14 attained at least age sixty, or at least age fifty-five with ten
15 years of credited service.

16 5. A member, other than a member who is serving as a
17 uniformed member of the highway patrol and subject to the
18 mandatory retirement provisions of section 104.081, shall be
19 eligible for an early retirement annuity upon the attainment of
20 at least age sixty-two and the completion of at least ten years
21 of credited service. A vested former member shall not be
22 eligible for early retirement.

23 6. The provisions of subsection 6 of section 104.1021 and
24 section 104.344 as applied pursuant to subsection 7 of section
25 104.1021 and section 104.1090 shall not apply to members covered
26 by this section.

27 7. The minimum credited service requirements of five years
28 contained in sections 104.1018, 104.1030, 104.1036, and 104.1051

1 shall be ten years for members covered by this section. The
2 normal and early retirement eligibility requirements in this
3 section shall apply for purposes of administering section
4 104.1087.

5 8. A member shall be required to contribute four percent of
6 the member's pay to the retirement system, which shall stand to
7 the member's credit in his or her individual account with the
8 system, together with investment credits thereon, for purposes of
9 funding retirement benefits payable under the year 2000 plan,
10 subject to the following provisions:

11 (1) The state of Missouri employer, pursuant to the
12 provisions of 26 U.S.C. Section 414(h) (2), shall pick up and pay
13 the contributions that would otherwise be payable by the member
14 under this section. The contributions so picked up shall be
15 treated as employer contributions for purposes of determining the
16 member's pay that is includable in the member's gross income for
17 federal income tax purposes;

18 (2) Member contributions picked up by the employer shall be
19 paid from the same source of funds used for the payment of pay to
20 a member. A deduction shall be made from each member's pay equal
21 to the amount of the member's contributions picked up by the
22 employer. This deduction, however, shall not reduce the member's
23 pay for purposes of computing benefits under the retirement
24 system pursuant to this chapter;

25 (3) Member contributions so picked up shall be credited to
26 a separate account within the member's individual account so that
27 the amounts contributed pursuant to this section may be
28 distinguished from the amounts contributed on an after-tax basis;

1 (4) The contributions, although designated as employee
2 contributions, shall be paid by the employer in lieu of the
3 contributions by the member. The member shall not have the
4 option of choosing to receive the contributed amounts directly
5 instead of having them paid by the employer to the retirement
6 system;

7 (5) Interest shall be credited annually on June thirtieth
8 based on the value in the account as of July first of the
9 immediately preceding year at a rate of four percent. Effective
10 June 30, 2014, and each June thirtieth thereafter, the interest
11 crediting rate shall be equal to the investment rate that is
12 published by the United States Department of Treasury, or its
13 successor agency, for fifty-two week treasury bills for the
14 relevant auction that is nearest to the preceding July first, or
15 a successor treasury bill investment rate as approved by the
16 board if the fifty-two week treasury bill is no longer issued.
17 Interest credits shall cease upon termination of employment if
18 the member is not a vested former member. Otherwise, interest
19 credits shall cease upon retirement or death;

20 (6) A vested former member or a former member who is not
21 vested may request a refund of his or her contributions and
22 interest credited thereon. If such member is married at the time
23 of such request, such request shall not be processed without
24 consent from the spouse. Such member is not eligible to request
25 a refund if such member's retirement benefit is subject to a
26 division of benefit order pursuant to section 104.1051. Such
27 refund shall be paid by the system after ninety days from the
28 date of termination of employment or the request, whichever is

1 later, and shall include all contributions made to any retirement
2 plan administered by the system and interest credited thereon. A
3 vested former member may not request a refund after such member
4 becomes eligible for normal retirement. A vested former member
5 or a former member who is not vested who receives a refund shall
6 forfeit all the member's credited service and future rights to
7 receive benefits from the system and shall not be eligible to
8 receive any long-term disability benefits; provided that any
9 member or vested former member receiving long-term disability
10 benefits shall not be eligible for a refund. If such member
11 subsequently becomes an employee and works continuously for at
12 least one year, the credited service previously forfeited shall
13 be restored if the member returns to the system the amount
14 previously refunded plus interest at a rate established by the
15 board;

16 (7) The beneficiary of any member who made contributions
17 shall receive a refund upon the member's death equal to the
18 amount, if any, of such contributions and interest credited
19 thereon less any retirement benefits received by the member
20 unless an annuity is payable to a survivor or beneficiary as a
21 result of the member's death. In that event, the beneficiary of
22 the survivor or beneficiary who received the annuity shall
23 receive a refund upon the survivor's or beneficiary's death equal
24 to the amount, if any, of the member's contributions less any
25 annuity amounts received by the member and the survivor or
26 beneficiary.

27 9. The employee contribution rate, the benefits provided
28 under the year 2000 plan to members covered under this section,

1 and any other provision of the year 2000 plan with regard to
2 members covered under this section may be altered, amended,
3 increased, decreased, or repealed, but only with respect to
4 services rendered by the member after the effective date of such
5 alteration, amendment, increase, decrease, or repeal, or, with
6 respect to interest credits, for periods of time after the
7 effective date of such alteration, amendment, increase, decrease,
8 or repeal.

9 10. For purposes of members covered by this section, the
10 options under section 104.1027 shall be as follows:

11 Option 1. A retiree's life annuity shall be reduced to a
12 certain percent of the annuity otherwise payable. Such percent
13 shall be eighty-eight and one half percent adjusted as follows:
14 if the retiree's age on the annuity starting date is younger than
15 sixty-seven years, an increase of three-tenths of one percent for
16 each year the retiree's age is younger than age sixty-seven
17 years; and if the beneficiary's age is younger than the retiree's
18 age on the annuity starting date, a decrease of three-tenths of
19 one percent for each year of age difference; and if the retiree's
20 age is younger than the beneficiary's age on the annuity starting
21 date, an increase of three-tenths of one percent for each year of
22 age difference; provided, after all adjustments the option 1
23 percent cannot exceed ninety-four and one quarter percent. Upon
24 the retiree's death, fifty percent of the retiree's reduced
25 annuity shall be paid to such beneficiary who was the retiree's
26 spouse on the annuity starting date or as otherwise provided by
27 subsection 5 of this section.

28 Option 2. A retiree's life annuity shall be reduced to a

1 certain percent of the annuity otherwise payable. Such percent
2 shall be eighty-one percent adjusted as follows: if the
3 retiree's age on the annuity starting date is younger than sixty-
4 seven years, an increase of four-tenths of one percent for each
5 year the retiree's age is younger than sixty-seven years; and if
6 the beneficiary's age is younger than the retiree's age on the
7 annuity starting date, a decrease of five-tenths of one percent
8 for each year of age difference; and if the retiree's age is
9 younger than the beneficiary's age on the annuity starting date,
10 an increase of five-tenths of one percent for each year of age
11 difference; provided, after all adjustments the option 2 percent
12 cannot exceed eighty-seven and three quarter percent. Upon the
13 retiree's death one hundred percent of the retiree's reduced
14 annuity shall be paid to such beneficiary who was the retiree's
15 spouse on the annuity starting date or as otherwise provided by
16 subsection 5 of this section.

17 Option 3. A retiree's life annuity shall be reduced to
18 ninety-three percent of the annuity otherwise payable. If the
19 retiree dies before having received one hundred twenty monthly
20 payments, the reduced annuity shall be continued for the
21 remainder of the one hundred twenty-month period to the retiree's
22 designated beneficiary provided that if there is no beneficiary
23 surviving the retiree, the present value of the remaining annuity
24 payments shall be paid as provided under subsection 3 of section
25 104.620. If the beneficiary survives the retiree but dies before
26 receiving the remainder of such one hundred twenty monthly
27 payments, the present value of the remaining annuity payments
28 shall be paid as provided under subsection 3 of section 104.620.

1 Option 4. A retiree's life annuity shall be reduced to
2 eighty-six percent of the annuity otherwise payable. If the
3 retiree dies before having received one hundred eighty monthly
4 payments, the reduced annuity shall be continued for the
5 remainder of the one hundred eighty-month period to the retiree's
6 designated beneficiary provided that if there is no beneficiary
7 surviving the retiree, the present value of the remaining annuity
8 payments shall be paid as provided under subsection 3 of section
9 104.620. If the beneficiary survives the retiree but dies before
10 receiving the remainder of such one hundred eighty monthly
11 payments, the present value of the remaining annuity payments
12 shall be paid as provided under subsection 3 of section 104.620.

13 11. The provisions of subsection 6 of section 104.1024
14 shall not apply to members covered by this section.

15 12. Effective January 1, 2018, a member who is not a
16 statewide elected official or a member of the general assembly
17 shall be eligible for retirement under this subsection subject to
18 the following conditions:

19 (1) A member's normal retirement eligibility shall be based
20 on the attainment of at least age sixty-seven and the completion
21 of at least five years of credited service; or the member's
22 attainment of at least age fifty-five with the sum of the
23 member's age and credited service equaling at least ninety; or,
24 in the case of a member who is serving as a uniformed member of
25 the highway patrol and subject to the mandatory retirement
26 provisions of section 104.081, such member's attainment of at
27 least age sixty or the attainment of at least age fifty-five with
28 five years of credited service;

1 (2) A vested former member's normal retirement eligibility
2 shall be based on the attainment of at least age sixty-seven and
3 the completion of at least five years of credited service;

4 (3) A temporary annuity paid under subsection 4 of section
5 104.1024 shall be payable if the member has attained at least age
6 fifty-five with the sum of the member's age and credited service
7 equaling at least ninety; or, in the case of a member who is
8 serving as a uniformed member of the highway patrol and subject
9 to the mandatory retirement provisions of section 104.081, the
10 temporary annuity shall be payable if the member has attained at
11 least age sixty, or at least age fifty-five with five years of
12 credited service;

13 (4) A member, other than a member who is serving as a
14 uniformed member of the highway patrol and subject to the
15 mandatory retirement provisions of section 104.081, shall be
16 eligible for an early retirement annuity upon the attainment of
17 at least age sixty-two and the completion of at least five years
18 of credited service. A vested former member shall not be
19 eligible for early retirement;

20 (5) The normal and early retirement eligibility
21 requirements in this subsection shall apply for purposes of
22 administering section 104.1087;

23 (6) The survivor annuity payable under section 104.1030 for
24 vested former members covered by this section shall not be
25 payable until the deceased member would have reached his or her
26 normal retirement eligibility under this subsection;

27 (7) The annual cost-of-living adjustment payable under
28 section 104.1045 shall not commence until the second anniversary

1 of a vested former member's annuity starting date for members
2 covered by this subsection;

3 (8) The unused sick leave credit granted under subsection 2
4 of section 104.1021 shall not apply to members covered by this
5 subsection unless the member terminates employment after reaching
6 normal retirement eligibility or becoming eligible for an early
7 retirement annuity under this subsection; and

8 (9) The minimum credited service requirements of five years
9 contained in sections 104.1018, 104.1030, 104.1036, and 104.1051
10 shall be five years for members covered by this subsection.

11 104.1092. 1. In lieu of retirement annuity benefits
12 otherwise payable under the closed plan or year 2000 plan, any
13 member who has terminated employment, is entitled to a deferred
14 annuity, and has not yet reached normal retirement age or
15 eligibility may make a one-time election to receive a lump sum
16 payment equal to a percentage of the present value of such
17 member's deferred annuity should a board choose to establish such
18 a program by board rule pursuant to section 104.1063.

19 2. Any such election under subsection 1 of this section may
20 be made by the member beginning on a date as established by the
21 board under such program but not after May 31, 2018. After May
22 31, 2018, no such election shall be made and retirement annuity
23 benefits shall only be paid as otherwise provided by law under
24 this chapter.

25 3. Any such member making such election under subsection 1
26 of this section shall forfeit all such member's creditable or
27 credited service and future rights to receive retirement annuity
28 benefits from the system under this chapter and shall not be

1 eligible to receive any long-term disability benefits. If such
2 member subsequently becomes an employee, such member shall be
3 considered a new employee with no prior credited service and
4 shall be subject to the provisions of section 104.1091.

5 104.1205. The board of trustees of the Missouri state
6 employees' retirement system shall:

7 (1) Establish a defined contribution plan for outside
8 employees which, among other things, provides for immediate
9 vesting;

10 (2) Select a third-party administrator to provide such
11 services as the board determines to be necessary for the proper
12 administration of the defined contribution plan;

13 (3) Select the investment products which shall be made
14 available to the participants in the defined contribution plan;

15 (4) Annually establish the contribution rate used for
16 purposes of subsection 3 of section 104.1066 for employees of
17 institutions who are other than outside employees, which shall be
18 done by considering all such employees to be part of the general
19 employee population within the Missouri state employees'
20 retirement system;

21 (5) Establish the contribution rate for outside employees
22 which shall be equal to [one] six percent of payroll [less than
23 the normal cost contribution rate established pursuant to
24 subdivision (4) of this section; and];

25 (6) Require outside employees hired on or after July 1,
26 2018, to contribute two percent of the employee's pay to the
27 defined contribution plan which shall be credited to a separate
28 account within the outside employee's individual account. The

1 employing institution, pursuant to the provisions of 26 U.S.C.
2 Section 414(h) (2), shall pick up and pay such contributions. The
3 contributions so picked up shall be treated as employer
4 contributions for purposes of determining the outside employee's
5 pay that is includable in the outside employee's gross income for
6 federal income tax purposes. The outside employee's
7 contributions picked up by the employing institution shall be:

8 (a) Paid from the same source of funds used for the payment
9 of pay to an outside employee. A deduction shall be made from
10 each outside employee's pay equal to the amount of the outside
11 employee's contributions picked up by the employing institution;
12 and

13 (b) Paid by the employing institution in lieu of the
14 contributions by the outside employee, although designated as
15 employee contributions. The outside employee shall not have the
16 option of choosing to receive the contributed amounts directly
17 instead of having them paid by the employing institution to the
18 defined contribution plan;

19 (7) Establish such rules and regulations as may be
20 necessary to carry out the purposes of this section; and

21 (8) Allow outside employees to contribute to a supplemental
22 account established by the employer. Such employees may elect to
23 change the contribution rate in accordance with the terms of the
24 supplemental account.

25 105.669. 1. Any participant of a plan who is [found
26 guilty] convicted of a felony offense listed in subsection 3 of
27 this section, which is committed in direct connection with or
28 directly related to the participant's duties as an employee on or

1 after August 28, 2014, shall not be eligible to receive any
2 retirement benefits from the respective plan based on service
3 rendered on or after August 28, 2014, except a participant may
4 still request from the respective retirement system a refund of
5 the participant's plan contributions, including interest credited
6 to the participant's account.

7 2. [Upon a finding of guilt, the court shall forward a
8 notice of the court's finding to] The employer of any participant
9 who is charged or convicted of a felony offense listed in
10 subsection 3 of this section, which is committed in direct
11 connection with or directly related to the participant's duties
12 as an employee on or after August 28, 2014, shall notify the
13 appropriate retirement system in which the offender was a
14 participant[. The court shall also make a determination on the
15 value of the money, property, or services involved in committing
16 the offense] and provide information in connection with such
17 charge or conviction. The plans shall take all actions necessary
18 to implement the provisions of this section.

19 3. [The finding of guilt for] A felony conviction based on
20 any of the following offenses or a substantially similar offense
21 provided under federal law shall result in the ineligibility of
22 retirement benefits as provided in subsection 1 of this section:

23 (1) The offense of felony stealing under section 570.030
24 when such offense involved money, property, or services valued at
25 five thousand dollars or more [as determined by the court];

26 (2) The offense of felony receiving stolen property under
27 section 570.080, as it existed before January 1, 2017, when such
28 offense involved money, property, or services valued at five

1 thousand dollars or more [as determined by the court];

2 (3) The offense of forgery under section 570.090;

3 (4) The offense of felony counterfeiting under section
4 570.103;

5 (5) The offense of bribery of a public servant under
6 section 576.010; or

7 (6) The offense of acceding to corruption under section
8 576.020.

9 137.280. 1. Taxpayers' personal property lists, except
10 those of merchants and manufacturers, and except those of
11 railroads, public utilities, pipeline companies or any other
12 person or corporation subject to special statutory requirements,
13 such as chapter 151, who shall return and file their assessments
14 on locally assessed property no later than April first, shall be
15 delivered to the office of the assessor of the county between the
16 first day of January and the first day of March each year and
17 shall be signed and certified by the taxpayer as being a true and
18 complete list or statement of all the taxable tangible personal
19 property. If any person shall fail to deliver the required list
20 to the assessor by the first day of March, the owner of the
21 property which ought to have been listed shall be assessed a
22 penalty added to the tax bill, based on the assessed value of the
23 property that was not reported, as follows:

Assessed Valuation	Penalty
0 - \$1,000	[\$10.00] <u>\$15.00</u>
\$1,001 - \$2,000	[\$20.00] <u>\$25.00</u>
\$2,001 - \$3,000	[\$30.00] <u>\$35.00</u>
\$3,001 - \$4,000	[\$40.00] <u>\$45.00</u>

1	\$4,001	-	\$5,000	[\$50.00]	<u>\$55.00</u>
2	\$5,001	-	\$6,000	[\$60.00]	<u>\$65.00</u>
3	\$6,001	-	\$7,000	[\$70.00]	<u>\$75.00</u>
4	\$7,001	-	\$8,000	[\$80.00]	<u>\$85.00</u>
5	\$8,001	-	\$9,000	[\$90.00]	<u>\$95.00</u>
6	\$9,001		and above	[\$100.00]	<u>\$105.00</u>

7

8 The assessor in any county of the first classification without a
9 charter form of government with a population of one hundred
10 thousand or more inhabitants which contains all or part of a city
11 with a population of three hundred fifty thousand or more
12 inhabitants shall omit assessing the penalty in any case where he
13 or she is satisfied the neglect is unavoidable and not willful or
14 falls into one of the following categories. The assessor in all
15 other political subdivisions shall omit assessing the penalty in
16 any case where he or she is satisfied the neglect falls into at
17 least one of the following categories:

18 (1) The taxpayer is in military service and is outside the
19 state;

20 (2) The taxpayer filed timely, but in the wrong county;

21 (3) There was a loss of records due to fire or flood;

22 (4) The taxpayer can show the list was mailed timely as
23 evidenced by the date of postmark; [or]

24 (5) The assessor determines that no form for listing
25 personal property was mailed to the taxpayer for that tax year;
26 or

27 (6) The neglect occurred as a direct result of the actions
28 or inactions of the county or its employees or contractors.

1 2. Between March first and April first, the assessor shall
2 send to each taxpayer who was sent an assessment list for the
3 current tax year, and said list was not returned to the assessor,
4 a second notice that statutes require the assessment list be
5 returned immediately. In the event the taxpayer returns the
6 assessment list to the assessor before May first, the penalty
7 described in subsection 1 of this section shall not apply. If
8 said assessment list is not returned before May first by the
9 taxpayer, the penalty shall apply.

10 3. It shall be the duty of the county commission and
11 assessor to place on the assessment rolls for the year all
12 personal property discovered in the calendar year which was
13 taxable on January first of that year.

14 4. If annual waivers exceed forty percent then by February
15 first of each year, the assessor shall transmit to the county
16 employees' retirement fund an electronic or paper copy of the log
17 maintained under subsection 3 of section 50.1020 for the prior
18 calendar year.

19 137.345. 1. If any person, corporation, partnership or
20 association neglects or refuses to deliver an itemized statement
21 or list of all the taxable tangible personal property signed and
22 certified by the taxpayer, as required by section 137.340, by the
23 first day of March, [they] the taxpayer shall be assessed a
24 penalty added to the tax bill, based on the assessed value of the
25 property that was not reported, as follows:

Assessed Valuation	Penalty
0 - \$1,000	[\$10.00] <u>\$15.00</u>
\$1,001 - \$2,000	[\$20.00] <u>\$25.00</u>

1	\$2,001	-	\$3,000	[\$30.00]	<u>\$35.00</u>
2	\$3,001	-	\$4,000	[\$40.00]	<u>\$45.00</u>
3	\$4,001	-	\$5,000	[\$50.00]	<u>\$55.00</u>
4	\$5,001	-	\$6,000	[\$60.00]	<u>\$65.00</u>
5	\$6,001	-	\$7,000	[\$70.00]	<u>\$75.00</u>
6	\$7,001	-	\$8,000	[\$80.00]	<u>\$85.00</u>
7	\$8,001	-	\$9,000	[\$90.00]	<u>\$95.00</u>
8	\$9,001		and above	[\$100.00]	<u>\$105.00</u>

9

10 The assessor in any county of the first classification without a
11 charter form of government with a population of one hundred
12 thousand or more inhabitants which contains all or part of a city
13 with a population of three hundred fifty thousand or more
14 inhabitants shall omit assessing the penalty in any case where he
15 or she is satisfied the neglect is unavoidable and not willful or
16 falls into one of the following categories. The assessor in all
17 other political subdivisions shall omit assessing the penalty in
18 any case where he or she is satisfied the neglect falls into at
19 least one of the following categories:

20 (1) The taxpayer is in military service and is outside the
21 state;

22 (2) The taxpayer filed timely, but in the wrong county;

23 (3) There was a loss of records due to fire, theft, fraud
24 or flood;

25 (4) The taxpayer can show the list was mailed timely as
26 evidenced by the date of postmark; [or]

27 (5) The assessor determines that no form for listing
28 personal property was mailed to the taxpayer for that tax year;

1 or

2 (6) The neglect occurred as a direct result of the actions
3 or inactions of the county or its employees or contractors.

4 2. It shall be the duty of the county commission and
5 assessor to place on the assessment rolls for the year all
6 property discovered in the calendar year which was taxable on
7 January first of that year.

8 3. Between March first and April first, the assessor shall
9 send to each taxpayer who was sent an assessment list for the
10 current tax year, and said list was not returned to the assessor,
11 a second notice that statutes require that the assessment list be
12 returned immediately. In the event the taxpayer returns the
13 assessment list to the assessor before May first, the penalty
14 described in subsection 1 of this section shall not apply. If
15 said assessment list is not returned before May first by the
16 taxpayer, the penalty shall apply.

17 4. The assessor, in the absence of the owner failing to
18 deliver a required list of property is not required to furnish to
19 the owner a duplicate of the assessment as made.

20 5. In every instance where a taxpayer has appealed to the
21 board of equalization or the state tax commission the assessment
22 of the taxpayer's property, real or personal, and that appeal has
23 been successful, then in the next following and all subsequent
24 years the basis upon which the assessor must base future
25 assessments of the subject property shall be the basis
26 established by the successful appeal and any increases must be
27 established from that basis.

28 140.100. 1. Each tract of land in the back tax book, in

1 addition to the amount of tax delinquent, shall be charged with a
2 penalty of eighteen percent of each year's delinquency except
3 that the penalty on lands redeemed prior to sale shall not exceed
4 two percent per month or fractional part thereof.

5 2. For making and recording the delinquent land lists, the
6 collector and the clerk shall receive ten cents per tract or lot
7 and the clerk shall receive five cents per tract or lot for
8 comparing and authenticating such list.

9 3. In all counties except counties having a charter form of
10 government before January 1, 2008, and any city not within a
11 county, in addition to the amount collected in subsection 2 of
12 this section, for making and recording the delinquent land lists,
13 the collector and the clerk shall each receive five dollars per
14 tract or lot. The ten dollars shall be paid into the county
15 employees' retirement fund established pursuant to section
16 50.1010.

17 169.141. 1. Any person receiving a retirement allowance
18 under sections 169.010 to 169.140, and who elected a reduced
19 retirement allowance under subsection 3 of section 169.070 with
20 his or her spouse as the nominated beneficiary, may nominate a
21 successor beneficiary under either of the following
22 circumstances:

23 (1) If the nominated beneficiary precedes the retired
24 person in death, the retired person may, upon remarriage,
25 nominate the new spouse under the same option elected in the
26 application for retirement;

27 (2) If the marriage of the retired person and the nominated
28 beneficiary is dissolved, and if the dissolution decree provides

1 for sole retention by the retired person of all rights in the
2 retirement allowance, the retired person may, upon remarriage,
3 nominate the new spouse under the same option elected in the
4 application for retirement.

5 2. Any nomination of a successor beneficiary under
6 subdivision (1) or (2) of subsection 1 of this section must be
7 made in accordance with procedures established by the board of
8 trustees, and must be filed within ninety days of May 6, 1993, or
9 within [ninety days] one year of the remarriage, whichever later
10 occurs. Upon receipt of a successor nomination filed in
11 accordance with those procedures, the board shall adjust the
12 retirement allowance to reflect actuarial considerations of that
13 nomination as well as previous beneficiary and successor
14 beneficiary nominations.

15 3. Any person receiving a retirement allowance under
16 sections 169.010 to 169.140 who elected a reduced retirement
17 allowance under subsection 3 of section 169.070 with his or her
18 spouse as the nominated beneficiary may have the retirement
19 allowance increased to the amount the retired member would be
20 receiving had the retired member elected option 1 if:

21 (1) The marriage of the retired person and the nominated
22 spouse is dissolved on or after September 1, 2017;

23 (2) The dissolution decree provides for sole retention by
24 the retired person of all rights in the retirement allowance; and

25 (3) The person receives a retirement allowance under
26 subsection 3 of section 169.070.

27
28 Any such increase in the retirement allowance shall be effective

1 upon the receipt of an application for such increase and a
2 certified copy of the decree of dissolution that meets the
3 requirements of this section.

4 169.324. 1. The annual service retirement allowance
5 payable pursuant to section 169.320 shall be the retirant's
6 number of years of creditable service multiplied by a percentage
7 of the retirant's average final compensation, determined as
8 follows:

9 (1) A retirant whose last employment as a regular employee
10 ended prior to June 30, 1999, shall receive an annual service
11 retirement allowance payable pursuant to section 169.320 in equal
12 monthly installments for life equal to the retirant's number of
13 years of creditable service multiplied by one and three-fourths
14 percent of the person's average final compensation, subject to a
15 maximum of sixty percent of the person's average final
16 compensation;

17 (2) A retirant whose number of years of creditable service
18 is greater than thirty-four and one-quarter on August 28, 1993,
19 shall receive an annual service retirement allowance payable
20 pursuant to section 169.320 in equal monthly installments for
21 life equal to the retirant's number of years of creditable
22 service as of August 28, 1993, multiplied by one and three-
23 fourths percent of the person's average final compensation but
24 shall not receive a greater annual service retirement allowance
25 based on additional years of creditable service after August 28,
26 1993;

27 (3) A retirant who was an active member of the retirement
28 system at any time on or after June 30, 1999, and who either

1 retires before January 1, 2014, or is a member of the retirement
2 system on December 31, 2013, and remains a member continuously to
3 retirement shall receive an annual service retirement allowance
4 payable pursuant to section 169.320 in equal monthly installments
5 for life equal to the retirant's number of years of creditable
6 service multiplied by two percent of the person's average final
7 compensation, subject to a maximum of sixty percent of the
8 person's final compensation;

9 (4) A retirant who becomes a member of the retirement
10 system on or after January 1, 2014, including any retirant who
11 was a member of the retirement system before January 1, 2014, but
12 ceased to be a member for any reason other than retirement, shall
13 receive an annual service retirement allowance payable pursuant
14 to section 169.320 in equal monthly installments for life equal
15 to the retirant's number of years of creditable service
16 multiplied by one and three-fourths percent of the person's
17 average final compensation, subject to a maximum of sixty percent
18 of the person's average final compensation;

19 (5) Notwithstanding the provisions of subdivisions (1) to
20 (4) of this subsection, effective January 1, 1996, any retirant
21 who retired on, before or after January 1, 1996, with at least
22 twenty years of creditable service shall receive at least three
23 hundred dollars each month as a retirement allowance, or the
24 actuarial equivalent thereof if the retirant elected any of the
25 options available under section 169.326. Any retirant who
26 retired with at least ten years of creditable service shall
27 receive at least one hundred fifty dollars each month as a
28 retirement allowance, plus fifteen dollars for each additional

1 full year of creditable service greater than ten years but less
2 than twenty years (or the actuarial equivalent thereof if the
3 retirant elected any of the options available under section
4 169.326). Any beneficiary of a deceased retirant who retired
5 with at least ten years of creditable service and elected one of
6 the options available under section 169.326 shall also be
7 entitled to the actuarial equivalent of the minimum benefit
8 provided by this subsection, determined from the option chosen.

9 2. Except as otherwise provided in sections 169.331[,
10 169.580] and 169.585, payment of a retirant's retirement
11 allowance will be suspended for any month for which such person
12 receives remuneration from the person's employer or from any
13 other employer in the retirement system established by section
14 169.280 for the performance of services except any such person
15 other than a person receiving a disability retirement allowance
16 under section 169.322 may serve as a nonregular substitute, part-
17 time or temporary employee for not more than six hundred hours in
18 any school year without becoming a member and without having the
19 person's retirement allowance discontinued, provided that through
20 such substitute, part-time, or temporary employment, the person
21 may earn no more than fifty percent of the annual salary or wages
22 the person was last paid by the employer before the person
23 retired and commenced receiving a retirement allowance, adjusted
24 for inflation. If a person exceeds such hours limit or such
25 compensation limit, payment of the person's retirement allowance
26 shall be suspended for the month in which such limit was exceeded
27 and each subsequent month in the school year for which the person
28 receives remuneration from any employer in the retirement system.

1 In addition to the conditions set forth above, the restrictions
2 of this subsection shall also apply to any person retired and
3 currently receiving a retirement allowance under sections 169.270
4 to 169.400, other than for disability, who is employed by a third
5 party or is performing work as an independent contractor if the
6 services performed by such person are provided to or for the
7 benefit of any employer in the retirement system established
8 under section 169.280. The retirement system may require the
9 employer receiving such services, the third-party employer, the
10 independent contractor, and the retirant subject to this
11 subsection to provide documentation showing compliance with this
12 subsection. If such documentation is not provided, the
13 retirement system may deem the retirant to have exceeded the
14 limitations provided for in this subsection. If a retirant is
15 reemployed by any employer in any capacity, whether pursuant to
16 this section, or section 169.331[, 169.580,] or 169.585, or as a
17 regular employee, the amount of such person's retirement
18 allowance attributable to service prior to the person's first
19 retirement date shall not be changed by the reemployment. If the
20 person again becomes an active member and earns additional
21 creditable service, upon the person's second retirement the
22 person's retirement allowance shall be the sum of:

23 (1) The retirement allowance the person was receiving at
24 the time the person's retirement allowance was suspended,
25 pursuant to the payment option elected as of the first retirement
26 date, plus the amount of any increase in such retirement
27 allowance the person would have received pursuant to subsection 3
28 of this section had payments not been suspended during the

1 person's reemployment; and

2 (2) An additional retirement allowance computed using the
3 benefit formula in effect on the person's second retirement date,
4 the person's creditable service following reemployment, and the
5 person's average final annual compensation as of the second
6 retirement date. The sum calculated pursuant to this subsection
7 shall not exceed the greater of sixty percent of the person's
8 average final compensation as of the second retirement date or
9 the amount determined pursuant to subdivision (1) of this
10 subsection. Compensation earned prior to the person's first
11 retirement date shall be considered in determining the person's
12 average final compensation as of the second retirement date if
13 such compensation would otherwise be included in determining the
14 person's average final compensation.

15 3. The board of trustees shall determine annually whether
16 the investment return on funds of the system can provide for an
17 increase in benefits for retirants eligible for such increase. A
18 retirant shall and will be eligible for an increase awarded
19 pursuant to this section as of the second January following the
20 date the retirant commenced receiving retirement benefits. Any
21 such increase shall also apply to any monthly joint and survivor
22 retirement allowance payable to such retirant's beneficiaries,
23 regardless of age. The board shall make such determination as
24 follows:

25 (1) After determination by the actuary of the investment
26 return for the preceding year as of December thirty-first (the
27 "valuation year"), the actuary shall recommend to the board of
28 trustees what portion of the investment return is available to

1 provide such benefits increase, if any, and shall recommend the
2 amount of such benefits increase, if any, to be implemented as of
3 the first day of the thirteenth month following the end of the
4 valuation year, and first payable on or about the first day of
5 the fourteenth month following the end of the valuation year.
6 The actuary shall make such recommendations so as not to affect
7 the financial soundness of the retirement system, recognizing the
8 following safeguards:

9 (a) The retirement system's funded ratio as of January
10 first of the year preceding the year of a proposed increase shall
11 be at least one hundred percent after adjusting for the effect of
12 the proposed increase. The funded ratio is the ratio of assets
13 to the pension benefit obligation;

14 (b) The actuarially required contribution rate, after
15 adjusting for the effect of the proposed increase, may not exceed
16 the then applicable employer and member contribution rate as
17 determined under subsection 4 of section 169.350;

18 (c) The actuary shall certify to the board of trustees that
19 the proposed increase will not impair the actuarial soundness of
20 the retirement system;

21 (d) A benefit increase, under this section, once awarded,
22 cannot be reduced in succeeding years;

23 (2) The board of trustees shall review the actuary's
24 recommendation and report and shall, in their discretion,
25 determine if any increase is prudent and, if so, shall determine
26 the amount of increase to be awarded.

27 4. This section does not guarantee an annual increase to
28 any retirant.

1 5. If an inactive member becomes an active member after
2 June 30, 2001, and after a break in service, unless the person
3 earns at least four additional years of creditable service
4 without another break in service, upon retirement the person's
5 retirement allowance shall be calculated separately for each
6 separate period of service ending in a break in service. The
7 retirement allowance shall be the sum of the separate retirement
8 allowances computed for each such period of service using the
9 benefit formula in effect, the person's average final
10 compensation as of the last day of such period of service and the
11 creditable service the person earned during such period of
12 service; provided, however, if the person earns at least four
13 additional years of creditable service without another break in
14 service, all of the person's creditable service prior to and
15 including such service shall be aggregated and, upon retirement,
16 the retirement allowance shall be computed using the benefit
17 formula in effect and the person's average final compensation as
18 of the last day of such period of four or more years and all of
19 the creditable service the person earned prior to and during such
20 period.

21 6. Notwithstanding anything contained in this section to
22 the contrary, the amount of the annual service retirement
23 allowance payable to any retirant pursuant to the provisions of
24 sections 169.270 to 169.400, including any adjustments made
25 pursuant to subsection 3 of this section, shall at all times
26 comply with the provisions and limitations of Section 415 of the
27 Internal Revenue Code of 1986, as amended, and the regulations
28 thereunder, the terms of which are specifically incorporated

1 herein by reference.

2 7. All retirement systems established by the laws of the
3 state of Missouri shall develop a procurement action plan for
4 utilization of minority and women money managers, brokers and
5 investment counselors. Such retirement systems shall report
6 their progress annually to the joint committee on public employee
7 retirement and the governor's minority advocacy commission.

8 169.460. 1. Any member may retire and receive a normal
9 pension upon his or her written application to the board of
10 trustees setting forth at what time not less than fifteen days
11 nor more than one hundred eighty days subsequent to the execution
12 and filing of such application he or she desires to be retired;
13 provided, that the member at the time so specified for his or her
14 retirement either (a) shall have attained age sixty-five or (b)
15 shall have attained an age which when added to the number of
16 years of credited service of such member shall total a sum not
17 less than [~~eighty-five~~] eighty. For purposes of computing any
18 member's age under this section, the board shall, if necessary,
19 add to his or her actual age any accumulated and unused days of
20 sick leave included in his or her credited service.

21 2. Upon retirement [~~pursuant to~~] under subsection 1 of this
22 section, a member shall receive an annual pension payable in
23 monthly installments in the following manner:

24 (1) A member hired prior to January 1, 2018, shall receive
25 an annual pension payable in monthly installments equal to his or
26 her number of years of credited service multiplied by two percent
27 of his or her average final compensation subject to a maximum
28 pension of sixty percent of his or her average final

1 compensation; or

2 (2) A member hired for the first time on or after January
3 1, 2018, shall receive an annual pension payable in monthly
4 installments equal to his or her number of years of credited
5 service multiplied by one and three-fourths percent of such
6 member's average final compensation subject to a maximum pension
7 of sixty percent of the member's average final compensation.

8 3. A member who is not eligible for normal pension pursuant
9 to subsection 1 of this section but who has attained age sixty
10 and has five or more years of credited service may make
11 application in the same manner as pursuant to subsection 1 of
12 this section for an early pension. His or her early pension
13 shall be computed pursuant to subsection 2 of this section, but
14 shall be reduced by five-ninths of one percent for each month
15 such member's early retirement date precedes the earliest date he
16 or she could have received a normal pension pursuant to
17 subsection 1 of this section had his or her service continued.

18 4. Upon the written application of the member or of the
19 employing board, any active member who has five or more years of
20 credited service with such board and does not qualify for a
21 normal pension pursuant to subsection 1 of this section may be
22 retired by the board of trustees, not less than fifteen days and
23 not more than one hundred eighty days next following the date of
24 filing such application, and receive a disability pension,
25 provided, that the medical board after a medical examination of
26 such member or such member's medical records shall certify that
27 such member is unable to further perform his or her duties due to
28 mental or physical incapacity, and that such incapacity is likely

1 to be permanent and that such member should be retired; or,
2 provided the member furnishes evidence of the receipt of
3 disability benefits under the federal Old Age, Survivors and
4 Disability Insurance System of the Social Security Act. The
5 determination of the board of trustees in the matter shall be
6 final and conclusive. A member being retired pursuant to this
7 subsection who has accumulated unused vacation and sick leave may
8 elect to have the commencement of his or her disability pension
9 deferred for more than one hundred eighty days during the period
10 he or she is entitled to vacation and sick pay.

11 5. Upon retirement for disability, a member shall receive a
12 disability pension until such time as he or she meets the
13 requirements for a normal pension pursuant to subsection 1 of
14 this section, at which time his or her disability pension will be
15 deemed to be a normal pension. The member's disability pension
16 shall be the larger of:

17 (1) A normal pension based on his or her credited service
18 to the date of his or her retirement for disability and
19 calculated as if he or she were age sixty-five; or

20 (2) One-fourth of his or her average final compensation;
21 except that such benefit shall not exceed the normal pension
22 which he or she would have received upon retirement if his or her
23 service had continued and he or she had satisfied the eligibility
24 requirements of subsection 1 of this section and had his or her
25 final average compensation been unchanged.

26 6. Once each year during the first five years following
27 retirement for disability and once in every three-year period
28 thereafter while receiving a disability pension, the board of

1 trustees may, and shall, require any member receiving a
2 disability pension who has not yet become eligible for a normal
3 pension pursuant to subsection 1 of this section to undergo a
4 medical examination at a place designated by the medical board or
5 by a physician or physicians designated by such board. If any
6 such member receiving a disability pension refuses to submit to
7 such medical examination, his or her benefit may be discontinued
8 until his or her withdrawal of such refusal, and if his or her
9 refusal continues for one year, all rights in and to his or her
10 pension may be revoked by the board of trustees.

11 7. If the board of trustees finds that any member receiving
12 a disability pension is engaged in or is able to engage in a
13 gainful occupation paying more than the difference between his or
14 her disability pension plus benefits, if any, to which he or she
15 and his or her family are eligible under the federal Old Age,
16 Survivors and Disability Insurance System of the Social Security
17 Act and the current rate of monthly compensation for the position
18 he or she held at retirement, then the amount of his or her
19 disability pension shall be reduced to an amount which together
20 with the amount earnable by him or her shall equal such current
21 rate of monthly compensation. The decisions of the board of
22 trustees in regard to such modification of disability benefits
23 shall be final and conclusive.

24 8. If any member receiving a disability pension is restored
25 to service as an employee, he or she shall again become an active
26 member of the retirement system and contribute thereunder. His
27 or her credited service at the time of his or her retirement for
28 disability shall be restored and the excess of his or her

1 accumulated contributions at his or her retirement for disability
2 over the total disability pension payments which he or she
3 received shall be credited to his or her account.

4 9. If a member with fewer than five years credited service
5 ceases to be an employee, except by death, he or she shall be
6 paid the amount of his or her accumulated contributions in
7 accordance with applicable provisions of the Internal Revenue
8 Code.

9 10. If a member with five years or more credited service
10 ceases to be an employee, except by death or retirement, he or
11 she shall be paid on demand the amount of his or her accumulated
12 contributions, or he or she may leave his or her accumulated
13 contributions with the retirement system and be an inactive
14 member and claim a retirement benefit at any time after he or she
15 reaches the minimum age for retirement, except that if such a
16 member's accumulated contributions do not exceed the involuntary
17 distribution limits under provisions of the Internal Revenue
18 Code, the member must elect to become an inactive member within
19 thirty days of employment separation to avoid application of the
20 involuntary distribution provisions of the Internal Revenue Code.
21 When an inactive member presents his or her valid claim to the
22 board of trustees, he or she shall be granted a benefit at such
23 time and for such amount as is available pursuant to subsection 2
24 or 3 of this section in accordance with the provisions of law in
25 effect at the time his or her active membership ceased. The
26 accumulated contributions of an inactive member may be withdrawn
27 at any time upon ninety days' notice or such shorter notice as is
28 approved by the board of trustees. If an inactive member dies

1 before retirement, his or her accumulated contributions shall be
2 paid to his or her designated beneficiary, if living, otherwise
3 to the estate of the member. A member's accumulated
4 contributions shall not be paid to him or her so long as he or
5 she remains in service as an employee.

6 11. Any member upon retirement shall receive his or her
7 pension payable throughout life subject to the provision that if
8 his or her death occurs before he or she has received total
9 benefits at least as large as his or her accumulated
10 contributions at retirement, the difference shall be paid in one
11 sum to his or her designated beneficiary, if living, otherwise to
12 the estate of the retired member.

13 12. Prior to the date of retirement pursuant to subsection
14 2, 3, or 4 of this section, a member may elect to receive the
15 actuarial equivalent of his or her pension in a lesser amount,
16 payable throughout life under one of the following options with
17 the provision that:

18 Option 1. Upon his or her death, his or her pension shall
19 be continued throughout the life of and paid to his or her
20 beneficiary, or

21 Option 2. Upon his or her death, one-half of his or her
22 pension shall be continued throughout the life of and paid to his
23 or her beneficiary, or

24 Option 3. Upon his or her death, his or her pension shall
25 be continued throughout the life of and paid to his or her
26 beneficiary, provided that in the event his or her designated
27 beneficiary predeceases him or her, then his or her pension shall
28 be adjusted effective the first day of the month following the

1 month in which his or her designated beneficiary died to the
2 amount determined pursuant to subsection 2 or 3 of this section
3 at the time of his or her retirement, or

4 Option 4. Upon his or her death, one-half of his or her
5 pension shall be continued throughout the life of and paid to his
6 or her beneficiary, provided that in the event his or her
7 designated beneficiary predeceases him or her, then his or her
8 pension shall be adjusted effective the first day of the month
9 following the month in which his or her designated beneficiary
10 died to the amount determined pursuant to subsection 2 or 3 of
11 this section at the time of his or her retirement.

12 Option 5. Prior to age sixty-two the member will receive
13 an increased pension, where the total pension prior to age sixty-
14 two is approximately equal to the pension after age sixty-two
15 plus the member's estimated federal Social Security benefit,
16 provided that the reduced pension after age sixty-two is not less
17 than one-half the pension the member could have received had no
18 option been elected. A member may elect a combination of Option
19 1 and Option 5, or Option 2 and Option 5. The survivor benefits
20 payable to a beneficiary, other than the spouse of the retired
21 member, under any of the foregoing options shall in no event
22 exceed fifty percent of the actuarial equivalent of the pension
23 determined pursuant to subsection 2 or 3 of this section at the
24 time of retirement.

25 13. If an option has been elected pursuant to subsection 12
26 of this section, and both the retired member and beneficiary die
27 before receiving total benefits as large as the member's
28 accumulated contributions at retirement, the difference shall be

1 paid to the designated beneficiary of the person last entitled to
2 benefits, if living, otherwise to the estate of the person last
3 entitled to benefits.

4 14. If an active member dies while an employee and with
5 five or more years of credited service and a dependent of the
6 member is designated as beneficiary to receive his or her
7 accumulated contributions, such beneficiary may, in lieu thereof,
8 request that benefits be paid under option 1, subsection 12 of
9 this section, as if the member had attained age sixty, if the
10 member was less than sixty years of age at the time of his or her
11 death, and had retired under such option as of the date of death,
12 provided that under the same circumstances a member may provide
13 by written designation that benefits must be paid pursuant to
14 option 1 to such beneficiary. In addition to benefits received
15 under option 1, subsection 12 of this section, a surviving spouse
16 receiving benefits under this subsection shall receive sixty
17 dollars per month for each unmarried dependent child of the
18 deceased member who is under twenty-two years of age and is in
19 the care of the surviving spouse; provided, that if there are
20 more than three such unmarried dependent children one hundred
21 eighty dollars shall be divided equally among them. A "dependent
22 beneficiary" for the purpose of this subsection only shall mean
23 either the surviving spouse or a person who at the time of the
24 death of the member was receiving at least one-half of his or her
25 support from the member, and the determination of the board of
26 trustees as to whether a person is a dependent shall be final.

27 15. In lieu of accepting the payment of the accumulated
28 contributions of a member who dies after having at least eighteen

1 months of credited service and while an employee, an eligible
2 beneficiary or, if no surviving eligible beneficiary, the
3 unmarried dependent children of the member under twenty-two years
4 of age may elect to receive the benefits pursuant to subdivision
5 (1), (2), (3), or (4) of this subsection. An "eligible
6 beneficiary" is the surviving spouse, unmarried dependent
7 children under twenty-two years of age or dependent parents of
8 the member, if designated as beneficiary. A "dependent" is one
9 receiving at least one-half of his or her support from the member
10 at his or her death.

11 (1) A surviving spouse who is sixty-two years of age at the
12 death of the member or upon becoming such age thereafter, and who
13 was married to the member at least one year, may receive sixty
14 dollars per month for life. A spouse may receive this benefit
15 after receiving benefits pursuant to subdivision (2) of this
16 subsection;

17 (2) A surviving spouse who has in his or her care an
18 unmarried dependent child of the deceased member under twenty-two
19 years of age may receive sixty dollars per month plus sixty
20 dollars per month for each child under twenty-two years of age
21 but not more than a total of two hundred forty dollars per month;

22 (3) If no benefits are payable pursuant to subdivision (2)
23 of this subsection, unmarried dependent children under the age of
24 twenty-two may receive sixty dollars each per month; provided
25 that if there are more than three such children one hundred
26 eighty dollars per month shall be divided equally among them;

27 (4) A dependent parent upon attaining sixty-two years of
28 age may receive sixty dollars per month as long as not remarried

1 provided no benefits are payable at any time pursuant to
2 subdivision (1), (2), or (3) of this subsection. If there are
3 two dependent parents entitled to benefits, sixty dollars per
4 month shall be divided equally between them;

5 (5) If the benefits pursuant to this subsection are elected
6 and the total amount paid is less than an amount equal to the
7 accumulated contributions of a member at his or her death, the
8 difference shall be payable to the beneficiary or the estate of
9 the beneficiary last entitled to benefits.

10 16. If a member receiving a normal pension again becomes an
11 active member, his or her pension benefit payments shall cease
12 during such membership and shall be resumed upon subsequent
13 retirement together with such pension benefit as shall accrue by
14 reason of his or her latest period of membership. Except as
15 otherwise provided in section 105.269, a retired member may not
16 receive a pension benefit for any month for which he or she
17 receives compensation from an employing board, except he or she
18 may serve as a part-time or temporary employee for not to exceed
19 sixty days in any calendar year without becoming a member and
20 without having his or her pension benefit discontinued. A
21 retired member may also serve as a member of the board of
22 trustees and receive any reimbursement for expenses allowed him
23 or her because of such service without becoming an active member
24 and without having his or her pension benefit discontinued or
25 reduced.

26 17. Upon approval of the board of trustees, any member may
27 make contributions in addition to those required. Any additional
28 contributions shall be accumulated at interest and paid in

1 addition to the benefits provided hereunder. The board of
2 trustees shall make such rules and regulations as it deems
3 appropriate in connection with additional contributions including
4 limitations on amounts of contributions and methods of payment of
5 benefits.

6 18. Notwithstanding any other provisions of this section,
7 any member retiring on or after age sixty-five who has five or
8 more years of credited service shall be entitled to an annual
9 pension of the lesser of (a) an amount equal to his or her number
10 of years of credited service multiplied by one hundred twenty
11 dollars, or (b) one thousand eight hundred dollars. Upon the
12 death of such member, any benefits payable to the beneficiary of
13 such member shall be computed as otherwise provided.

14 169.490. 1. All the assets of the retirement system shall
15 be held as one fund.

16 [1.] 2. (1) For any member hired before January 1, 2018,
17 the employing board shall cause to be deducted from the
18 compensation of each member at every payroll period five percent
19 of his or her compensation[, and].

20 (2) Beginning January 1, 2018, the percentage in
21 subdivision (1) of this subsection shall increase one-half of one
22 percent annually until such time as the percentage equals nine
23 percent.

24 (3) For any member hired for the first time on or after
25 January 1, 2018, the employing board shall cause to be deducted
26 from the compensation of each member at every payroll period nine
27 percent of such member's compensation.

1 (4) The amounts so deducted shall be transferred to the
2 board of trustees and credited to the individual account of each
3 member from whose compensation the deduction was made. In
4 determining the amount earnable by a member in any payroll
5 period, the board of trustees may consider the rate of earnable
6 compensation payable to such member on the first day of the
7 payroll period as continuing throughout such payroll period; it
8 may omit deduction from compensation for any period less than a
9 full payroll period if the employee was not a member on the first
10 day of the payroll period; and to facilitate the making of the
11 deductions, it may modify the deduction required of any member by
12 such amount as shall not exceed one-tenth of one percent of the
13 compensation upon the basis of which such deduction was made.

14 [(2)] (5) The deductions provided for herein are declared
15 to be a part of the salary of the member and the making of such
16 deductions shall constitute payments by the member out of his or
17 her salary or earnings and such deductions shall be made
18 notwithstanding that the minimum compensation provided by law for
19 any member shall be reduced thereby. Every member shall be
20 deemed to consent to the deductions made and provided for herein,
21 and shall receipt for his or her full salary or compensation, and
22 the making of said deductions and the payment of salary or
23 compensation less said deduction shall be a full and complete
24 discharge and acquittance of all claims and demands whatsoever
25 for services rendered during the period covered by the payment
26 except as to benefits provided by sections 169.410 to 169.540.

27 [(3)] (6) The employing board may elect to pay member
28 contributions required by this section as an employer pick up of

1 employee contributions under Section 414(h)(2) of the Internal
2 Revenue Code of 1986, as amended, and such contributions picked
3 up by the employing board shall be treated as contributions made
4 by members for all purposes of sections 169.410 to 169.540.

5 [2.] 3. If a retired member receiving a pension pursuant to
6 sections 169.410 to 169.540 is restored to active service and
7 again becomes an active member of the retirement system, there
8 shall be credited to his or her individual account an amount
9 equal to the excess, if any, of his or her accumulated
10 contributions at retirement over the total pension benefits paid
11 to him or her.

12 [3.] 4. Annually, the actuary for the retirement system
13 shall calculate each employer's contribution as an amount equal
14 to a certain percentage of the total compensation of all members
15 employed by that employer. The percentage shall be fixed on the
16 basis of the liabilities of the retirement system as shown by the
17 annual actuarial valuation. The annual actuarial valuation shall
18 be made on the basis of such actuarial assumptions and the
19 actuarial cost method adopted by the board of trustees, provided
20 that the actuarial cost method adopted shall be in accordance
21 with generally accepted actuarial standards and that the unfunded
22 actuarial accrued liability, if any, shall be amortized by level
23 annual payments over a period not to exceed thirty years. The
24 provisions of this subsection shall expire on December 31, 2017;
25 thereafter subsection 5 of this section shall apply.

26 5. For calendar year 2018, the rate of contribution payable
27 by each employer shall equal sixteen percent of the total
28 compensation of all members employed by that employer. For each

1 calendar year thereafter, the percentage rate of contribution
2 payable by each employer of the total compensation of all members
3 employed by that employer shall decrease one-half of one percent
4 annually until calendar year 2032 when the rate of contribution
5 payable by each employer shall equal nine percent of the total
6 compensation of all members employed by that employer. For
7 subsequent calendar years after 2032, the rate of contribution
8 payable by each employer shall equal nine percent of the total
9 compensation of all members employed by that employer.

10 [4.] 6. The expense and contingency reserve shall be a
11 reserve for investment contingencies and estimated expenses of
12 administration of the retirement system as determined annually by
13 the board of trustees.

14 [5.] 7. Gifts, devises, bequests and legacies may be
15 accepted by the board of trustees to be held and invested as a
16 part of the assets of the retirement system and shall not be
17 separately accounted for except where specific direction for the
18 use of a gift is made by a donor.

19 169.560. Any person retired and currently receiving a
20 retirement allowance pursuant to sections 169.010 to 169.141,
21 other than for disability, may be employed in any capacity in a
22 district included in the retirement system created by those
23 sections on either a part-time or temporary-substitute basis not
24 to exceed a total of five hundred fifty hours in any one school
25 year, and through such employment may earn up to fifty percent of
26 the annual compensation payable under the [employing] district's
27 salary schedule for the position or positions filled by the
28 retiree, given such person's level of experience and education,

1 without a discontinuance of the person's retirement allowance.
2 If the [employing] school district does not utilize a salary
3 schedule, or if the position in question is not subject to the
4 [employing] district's salary schedule, a retiree employed in
5 accordance with the provisions of this section may earn up to
6 fifty percent of the annual compensation paid to the person or
7 persons who last held such position or positions. If the
8 position or positions did not previously exist, the compensation
9 limit shall be determined in accordance with rules duly adopted
10 by the board of trustees of the retirement system; provided that,
11 it shall not exceed fifty percent of the annual compensation
12 payable for the position in the [employing] school district that
13 is most comparable to the position filled by the retiree. In any
14 case where a retiree fills more than one position during the
15 school year, the fifty-percent limit on permitted earning shall
16 be based solely on the annual compensation of the highest paid
17 position occupied by the retiree for at least one-fifth of the
18 total hours worked during the year. Such a person shall not
19 contribute to the retirement system or to the public education
20 employee retirement system established by sections 169.600 to
21 169.715 because of earnings during such period of employment. If
22 such a person is employed in any capacity by such a district [on
23 a regular, full-time basis,] in excess of the limitations set
24 forth in this section, the person shall not be eligible to
25 receive the person's retirement allowance for any month during
26 which the person is so employed. In addition, such person [and]
27 shall contribute to the retirement system if the person satisfies
28 the retirement system's membership eligibility requirements. In

1 addition to the conditions set forth above, this section shall
2 apply to any person retired and currently receiving a retirement
3 allowance under sections 169.010 to 169.141, other than for
4 disability, who is employed by a third party or is performing
5 work as an independent contractor, if such person is performing
6 work in a district included in the retirement system as a
7 temporary or long-term substitute teacher or in any other
8 position that would normally require that person to be duly
9 certificated under the laws governing the certification of
10 teachers in Missouri if such person was employed by the district.
11 The retirement system may require the district, the third-party
12 employer, the independent contractor, and the retiree subject to
13 this section to provide documentation showing compliance with
14 this section. If such documentation is not provided, the
15 retirement system may deem the retiree to have exceeded the
16 limitations provided in this section.

17 169.715. 1. Any person receiving a retirement allowance
18 under sections 169.600 to 169.712, and who elected a reduced
19 retirement allowance under subsection 4 of section 169.670 with
20 his or her spouse as the nominated beneficiary, may nominate a
21 successor beneficiary under either of the following
22 circumstances:

23 (1) If the nominated beneficiary precedes the retired
24 person in death, the retired person may, upon remarriage,
25 nominate the new spouse under the same option elected in the
26 application for retirement;

27 (2) If the marriage of the retired person and the nominated
28 beneficiary is dissolved, and if the dissolution decree provides

1 for sole retention by the retired person of all rights in the
2 retirement allowance, the retired person may, upon remarriage,
3 nominate the new spouse under the same option elected in the
4 application for retirement.

5 2. Any nomination of a successor beneficiary under
6 subdivision (1) or (2) of subsection 1 of this section must be
7 made in accordance with procedures established by the board of
8 trustees, and must be filed within ninety days of May 6, 1993, or
9 within [ninety days] one year of the remarriage, whichever later
10 occurs. Upon receipt of a successor nomination filed in
11 accordance with those procedures, the board shall adjust the
12 retirement allowance to reflect actuarial considerations of that
13 nomination as well as previous beneficiary and successor
14 beneficiary nominations.

15 3. Any person receiving a retirement allowance under
16 sections 169.600 to 169.715 who elected a reduced retirement
17 allowance under subsection 4 of section 169.670 with his or her
18 spouse as the nominated beneficiary may have the retirement
19 allowance increased to the amount the retired member would be
20 receiving had the retired member elected option 1 if:

21 (1) The marriage of the retired person and the nominated
22 spouse is dissolved on or after September 1, 2017;

23 (2) The dissolution decree provides for sole retention by
24 the retired person of all rights in the retirement allowance; and

25 (3) The person receives a retirement allowance under
26 subsection 4 of section 169.670.

27
28 Any such increase in the retirement allowance shall be effective

1 upon the receipt of an application for such increase and a
2 certified copy of the decree of dissolution that meets the
3 requirements of this section.

4 Section B. The repeal and reenactment of section 104.1205
5 of section A of this act shall become effective July 1, 2018.

6 Section C. The repeal and reenactment of sections 52.290,
7 137.280, 137.345, and 140.100 of section A of this act shall
8 become effective January 1, 2018.

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Dan Hegeman

James "Rusty" Black

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