

State Govt. 3/25

Senate File 334
State Government
Glenn, Chairman
Nolin
Schwengels

FILED MAR 24 1975

SENATE FILE 334

By NYSTROM, COLEMAN and CURTIS

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to improvement of certain benefits for members
2 of police and fire retirement systems.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section four hundred eleven point one (411.1),
2 subsections ten (10) and sixteen (16), Code 1975, are amended
3 to read as follows:

4 10. "Surviving Spouse" shall mean only such surviving
5 spouse of a marriage consummated prior to retirement of a
6 deceased member from active service or of a marriage
7 consummated after retirement but not less than two years prior
8 to the death of the retired member.

9 16. "Average final compensation" shall mean the average
10 earnable compensation of the member during the ~~five~~ three
11 years of service he earned his highest salary as a policeman
12 or fireman, or if he has had less than ~~five~~ three years of
13 such service, then the average earnable compensation of his
14 entire period of service.

15 Sec. 2. Section four hundred eleven point six (411.6),
16 subsection two (2), paragraph b, Code 1975, is amended to
17 read as follows:

18 b. A pension given by the city ~~in-addition-to-his-annuity~~
19 ~~which together-with-his-annuity~~ shall ~~make-a-total-service~~
20 ~~retirement-allowance~~ equal ~~to~~ one-half of his average final
21 compensation.

22 Sec. 3. Section four hundred eleven point six (411.6),
23 subsection three (3), Code 1975, is amended to read as follows:

24 3. ORDINARY DISABILITY RETIREMENT BENEFIT. Upon the
25 application of a member in service or of the chief of the
26 police or fire departments, respectively, any member ~~who-has~~
27 ~~had-five-or-more-years-of-membership-service~~ shall be retired
28 by the respective board of trustees, not less than thirty
29 and not more than ninety days next following the date of
30 filing such application, on an ordinary disability retirement
31 allowance, provided, that the medical board after a medical
32 examination of such member shall certify that said member
33 is mentally or physically incapacitated for further performance
34 of duty, that such incapacity is likely to be permanent and
35 that such member should be retired.

1 Sec. 4. Section four hundred eleven point six (411.6),
2 subsection four (4), paragraph b, Code 1975, is amended to
3 read as follows:

4 b. A pension which together with his annuity shall make
5 a total retirement allowance equal to ninety percent of 1/70
6 of his average final compensation multiplied by the number
7 of years of membership service, if such retirement allowance
8 exceeds one-half of his average final compensation, otherwise
9 a pension which together with his annuity shall provide a
10 total retirement allowance equal to one-half of his average
11 final compensation except if the member has not had five or
12 more years of membership service the member shall receive
13 a pension which together with his annuity shall provide a
14 total retirement allowance equal to one-fourth of his average
15 final compensation.

16 Sec. 5. Section four hundred eleven point six (411.6),
17 subsection eight (8), unnumbered paragraph one (1), paragraphs
18 a and b, and unnumbered paragraph two (2), Code 1975, are
19 amended to read as follows:

20 Upon the receipt of proper proofs of the death of a member
21 in service, or a member not in service who has completed
22 fifteen or more years of service as provided in subsection
23 one (1), paragraph c, of this section, there shall be paid
24 to such person having an insurable interest in his life as
25 he shall have nominated by written designation duly executed
26 and filed with the respective board of trustees:

27 a. His accumulated contributions and, if the member has
28 had one or more years of membership service and no pension
29 is payable under the provisions of subsection 9 of this
30 section, in addition thereto--

31 b. An amount equal to fifty percent of the compensation
32 earnable by him during the year immediately preceding his
33 death if the member is in service or an amount equal to fifty
34 percent of the compensation earned by him during his last
35 year of service if the member is not in service; or

1 If there be no such nomination of beneficiary, the benefits
2 provided in paragraphs "a" and "b" shall be paid to his estate;
3 or in lieu thereof, at the option of the following
4 beneficiaries, respectively, even though nominated as such,
5 for a member in service there shall be paid a pension which,
6 together with the actuarial equivalent of his accumulated
7 contributions, shall be equal to one-fourth of the average
8 final compensation of such member, but in no instance less
9 than seventy-five dollars. In addition to the benefits herein
10 enumerated, there shall also be paid for each child of a
11 member under the age of eighteen years the sum of twenty
12 dollars per month or for a member not in service the pension
13 shall be reduced as provided in subsection one (1), paragraph
14 c, of this section and shall be paid commencing when the
15 member would have attained the age of fifty-five except if
16 there is a child of the member under the age of eighteen,
17 or under the age of twenty-two who is a full-time student,
18 or who is disabled, under the definitions used in section
19 four hundred two (402) of the Social Security Act as amended
20 to July 1, 1974 (forty-two (42) U.S.C. four hundred two (402))
21 the pension shall be paid commencing with the member's death
22 until the children reach the age of eighteen, or twenty-two
23 if applicable, and shall resume commencing when the member
24 would have attained the age of fifty-five;

25 EXPLANATION

26 This bill provides the following benefit improvements for
27 the police and fire retirement systems:

- 28 1. Spouse's benefits to persons who marry retired members
29 if the marriage occurs two years before the death of the
30 retired member.
- 31 2. Service retirement allowance on 50% of the average
32 of the last three years salaries plus the annuity.
- 33 3. 25% benefit for ordinary disability during the first
34 6 years of service.
- 35 4. Spouse's pension and allowance for children paid for

1 vested deceased members not in service commencing with the
2 vested member's death if there are children under 18 years
3 of age or under 25 years of age and enrolled in postsecondary
4 education.
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