

411.2 Participation in retirement system.

1. Except as provided in [subsections 2 through 5](#), each city in which the fire fighters or police officers are appointed under the civil service law of this state, shall participate in the retirement system established by [this chapter](#) for the purpose of providing retirement allowances only for fire fighters or police officers, or both, of the cities who are so appointed after the date the city comes under the retirement system, or benefits to their dependents.

2. A city whose population was under eight thousand prior to the results of the federal census conducted in 1990 is not required to come under the retirement system established by [this chapter](#) upon attaining a population of eight thousand or more.

3. A city which did not have a paid fire department on May 3, 1990, is not required to come under the retirement system established by [this chapter](#) upon establishing a paid fire department.

4. A city which did not have a paid police department on May 3, 1990, is not required to come under the retirement system established by [this chapter](#) upon establishing a paid police department.

5. If a city's fire fighters or police officers, or both, are appointed under the civil service law of this state but the city is not operating a city fire or police retirement system, or both, under [this chapter](#) on May 3, 1990, the city is not required to come under the statewide fire and police retirement system established by [this chapter](#).

[C35, §6326-f2; C39, §**6326.04**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §411.2]

[90 Acts, ch 1240, §49](#)

Referred to in [§411.1](#)