

House File 2473

H-8297

1 Amend House File 2473 as follows:

2 1. Page 15, after line 12 by inserting:

3 <DIVISION \_\_\_\_\_  
4 PUBLIC RETIREMENT SYSTEMS

5 Sec. \_\_\_\_\_. Section 97A.6, subsection 7, paragraph  
6 a, subparagraph (1), Code 2014, is amended to read as  
7 follows:

8 (1) Should any beneficiary for either ordinary  
9 or accidental disability, except a beneficiary  
10 who is fifty-five years of age or over and would  
11 have completed twenty-two years of service if the  
12 beneficiary had remained in active service, be engaged  
13 in a gainful occupation paying more than the difference  
14 between the member's net retirement allowance and  
15 ~~one two~~ and one-half times the current earnable  
16 compensation of an active member at the same position  
17 on the salary scale within the member's rank as the  
18 member held at retirement, then the amount of the  
19 retirement allowance shall be reduced to an amount  
20 such that the member's net retirement allowance plus  
21 the amount earned by the member shall equal ~~one two~~  
22 and one-half times the amount of the current earnable  
23 compensation of an active member at the same position  
24 on the salary scale within the member's rank as the  
25 member held at retirement. Should the member's earning  
26 capacity be later changed, the amount of the retirement  
27 allowance may be further modified, provided that the  
28 new retirement allowance shall not exceed the amount of  
29 the retirement allowance originally granted adjusted by  
30 annual readjustments of pensions pursuant to subsection  
31 14 of this section nor an amount which would cause the  
32 member's net retirement allowance, when added to the  
33 amount earned by the beneficiary, to equal ~~one two~~  
34 and one-half times the amount of the current earnable  
35 compensation of an active member at the same position  
36 on the salary scale within the member's rank as the  
37 member held at retirement. A beneficiary restored  
38 to active service at a salary less than the average  
39 final compensation upon the basis of which the member  
40 was retired at age fifty-five or greater, shall not  
41 again become a member of the retirement system and  
42 shall have the member's retirement allowance suspended  
43 while in active service. If the rank or position  
44 held by the retired member is subsequently abolished,  
45 adjustments to the allowable limit on the amount of  
46 income which can be earned in a gainful occupation  
47 shall be computed in the same manner as provided in  
48 subsection 14, paragraph "c", of this section for  
49 readjustment of pensions when a rank or position has  
50 been abolished. If the salary scale associated with a

1 member's rank at retirement is changed after the member  
2 retires, earnable compensation for purposes of this  
3 section shall be based upon the salary an active member  
4 currently would receive at the same rank and with  
5 seniority equal to that of the retired member at the  
6 time of retirement. For purposes of this paragraph,  
7 "net retirement allowance" means the amount determined  
8 by subtracting the amount paid during the previous  
9 calendar year by the beneficiary for health insurance  
10 or similar health care coverage for the beneficiary  
11 and the beneficiary's dependents from the amount of  
12 the member's retirement allowance paid for that year  
13 pursuant to this chapter. The beneficiary shall submit  
14 sufficient documentation to the board of trustees  
15 to permit the system to determine the member's net  
16 retirement allowance for the applicable year.

17 Sec. \_\_\_\_\_. Section 97B.49B, subsection 1, paragraph  
18 e, Code 2014, is amended by adding the following new  
19 subparagraph:

20 NEW SUBPARAGRAPH. (13) A person other than a  
21 deputy sheriff, jailer, or detention officer who is  
22 employed by a sheriff to provide courthouse security  
23 services or prisoner transportation duties, is required  
24 as a condition of employment to carry a firearm and has  
25 been professionally trained and qualified in the use of  
26 any firearm in connection with the individual's duties,  
27 is required and authorized under limited circumstances  
28 to perform law enforcement duties that may include but  
29 are not limited to detaining persons, taking persons  
30 into custody, making arrests, transporting or providing  
31 custody and care for those persons under the sheriff's  
32 control, and is a certified Iowa peace officer, has  
33 Iowa reserve peace officer certification, or has  
34 equivalent peace officer training.

35 Sec. \_\_\_\_\_. Section 97B.52A, subsection 1, paragraph  
36 c, subparagraph (2), subparagraph division (b), Code  
37 2014, is amended to read as follows:

38 (b) For a member whose first month of entitlement  
39 is July 2004 or later, but before July ~~2014~~ 2016,  
40 covered employment does not include employment as a  
41 licensed health care professional by a public hospital.  
42 For the purposes of this subparagraph, "public  
43 hospital" means a hospital licensed pursuant to chapter  
44 135B and governed pursuant to chapter 145A, 347, 347A,  
45 or 392.

46 Sec. \_\_\_\_\_. Section 97B.80, subsection 1, Code 2014,  
47 is amended to read as follows:

48 1. a. For purposes of this subsection, "eligible  
49 member" means as follows:

50 (1) For the period beginning July 1, 1992, and

1 ending June 30, 2014, a vested or retired member who  
2 has one or more full calendar years of covered wages.

3 (2) Beginning on or after July 1, 2014, a member  
4 vested by service or a retired member who is vested by  
5 service and who is within six months of the retired  
6 member's first month of entitlement.

7 ~~b. Effective July 1, 1992, a vested or retired~~  
8 ~~An eligible member who has one or more full calendar~~  
9 ~~years of covered wages and who at any time served on~~  
10 ~~active duty in the armed forces of the United States,~~  
11 ~~upon submitting verification of the dates of the active~~  
12 ~~duty service, may make contributions to the retirement~~  
13 ~~system for all or a portion of the period of time of~~  
14 ~~the active duty service, in increments of one or more~~  
15 ~~calendar quarters, and receive credit for membership~~  
16 ~~service and prior service for the period of time for~~  
17 ~~which the contributions are made.~~

18 Sec. \_\_\_\_ . Section 97B.80C, subsection 1, Code 2014,  
19 is amended by adding the following new paragraph:

20 NEW PARAGRAPH. 0a. "Eligible member" means as  
21 follows:

22 (1) Prior to July 1, 2014, a vested or retired  
23 member.

24 (2) Beginning on or after July 1, 2014, a member  
25 vested by service or a retired member who is vested by  
26 service and who is within six months of the retired  
27 member's first month of entitlement.

28 Sec. \_\_\_\_ . Section 97B.80C, subsection 2, paragraphs  
29 a, b, and c, Code 2014, are amended to read as follows:

30 ~~a. A vested or retired~~ An eligible member may make  
31 contributions to the retirement system to purchase up  
32 to the maximum amount of permissive service credit  
33 for qualified service as determined by the system,  
34 pursuant to Internal Revenue Code section 415(n),  
35 the requirements of this section, and the system's  
36 administrative rules.

37 ~~b. A vested or retired~~ An eligible member of  
38 the retirement system may ~~make contributions to the~~  
39 retirement system to purchase up to a maximum of twenty  
40 quarters of permissive service credit for nonqualified  
41 service as determined by the system, pursuant to  
42 Internal Revenue Code section 415(n), the requirements  
43 of this section, and the system's administrative rules.  
44 ~~A vested or retired~~ An eligible member must have at  
45 least twenty quarters of covered wages in order to  
46 purchase permissive service credit for nonqualified  
47 service.

48 ~~c. A vested or retired~~ An eligible member may  
49 convert regular member service credit to special  
50 service credit by payment of the amount actuarially

1 determined as necessary to fund the resulting increase  
2 in the member's accrued benefit. The conversion shall  
3 be treated as a purchase of qualified service credit  
4 subject to the requirements of paragraph "a" if the  
5 service credit to be converted was or would have been  
6 for qualified service. The conversion shall be treated  
7 as a purchase of nonqualified service credit subject to  
8 the requirements of paragraph "b" if the service credit  
9 to be converted was purchased as nonqualified service  
10 credit.

11 Sec. \_\_\_\_\_. Section 411.6, subsection 7, paragraph  
12 a, subparagraph (1), Code 2014, is amended to read as  
13 follows:

14 (1) Should any beneficiary for either ordinary  
15 or accidental disability, except a beneficiary who  
16 is fifty-five years of age or over, be engaged in a  
17 gainful occupation paying more than the difference  
18 between the member's net retirement allowance and ~~one~~  
19 two and one-half times the earnable compensation of  
20 an active member at the same position on the salary  
21 scale within the member's rank as the member held at  
22 retirement, then the amount of the member's retirement  
23 allowance shall be reduced to an amount such that the  
24 member's net retirement allowance plus the amount  
25 earned by the member shall equal ~~one~~ two and one-half  
26 times the amount of the current earnable compensation  
27 of an active member at the same position on the  
28 salary scale within the member's rank as the member  
29 held at retirement. Should the member's earnings be  
30 later changed, the amount of the member's retirement  
31 allowance may be further modified, provided that  
32 the new retirement allowance shall not exceed the  
33 amount of the retirement allowance adjusted by annual  
34 readjustments of pensions pursuant to subsection 12  
35 of this section nor an amount which would cause the  
36 member's net retirement allowance, when added to the  
37 amount earned by the beneficiary, to equal ~~one~~ two and  
38 one-half times the amount of the earnable compensation  
39 of an active member at the same position on the salary  
40 scale within the member's rank as the member held at  
41 retirement. A beneficiary restored to active service  
42 at a salary less than the average final compensation  
43 upon the basis of which the member was retired at age  
44 fifty-five or greater, shall not again become a member  
45 of the retirement system and shall have the member's  
46 retirement allowance suspended while in active service.  
47 If the rank or position held by the retired member is  
48 subsequently abolished, adjustments to the allowable  
49 limit on the amount of income which can be earned in  
50 a gainful occupation shall be computed by the board

1 of trustees as though such rank or position had not  
2 been abolished and salary increases had been granted to  
3 such rank or position on the same basis as increases  
4 granted to other ranks and positions in the department.  
5 For purposes of this paragraph, "*net retirement*  
6 *allowance*" means the amount determined by subtracting  
7 the amount paid during the previous calendar year by  
8 the beneficiary for health insurance or similar health  
9 care coverage for the beneficiary and the beneficiary's  
10 dependents from the amount of the member's retirement  
11 allowance paid for that year pursuant to this chapter.  
12 The beneficiary shall submit sufficient documentation  
13 to the system to permit the system to determine the  
14 member's net retirement allowance for the applicable  
15 year.>  
16 2. By renumbering as necessary.

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PETTENGILL of Benton