

Senate Study Bill 335

Conference Committee Text

PAG LIN

1 1 Section 1. Section [97B.41](#), subsection 14, Code 1995, is
1 2 amended to read as follows:
1 3 14. "Retired member" means a member who has applied for
1 4

~~and commenced receiving~~

- the member's retirement allowance and

1 5 has attained at least the first day of the member's first
1 6 month of entitlement.

1 7 Sec. 2. Section [97B.41](#), Code 1995, is amended by adding
1 8 the following new subsection:

1 9 NEW SUBSECTION. 9A. "First month of entitlement" means
1 10 the first month for which a member is qualified to receive
1 11 retirement benefits under this chapter. Effective July 1,
1 12 1995, a member who meets all of the following requirements is
1 13 qualified to receive retirement benefits under this chapter:

1 14 a. If the member has not attained seventy years of age,
1 15 has terminated employment with all of the member's employers,
1 16 as employer is defined in this section, effective on the date
1 17 of the member's retirement.

1 18 b. Has filed a completed application for benefits which
1 19 has been approved by the department.

1 20 c. Has attained the month for which the member's first
1 21 retirement allowance is issued by the system.

1 22 Sec. 3. Section [97B.49](#), subsection 5, paragraph b,
1 23 unnumbered paragraph 5, Code 1995, is amended to read as
1 24 follows:

1 25 By November 15,

~~1993~~

- 1995, the department shall set aside
1 26 from other moneys in the retirement fund

~~two~~

- three million
1 27 eight hundred

~~fifty~~

- sixty thousand dollars. The moneys set
1 28 aside shall be from the funds generated by the employer and
1 29 employee contributions in effect under section [97B.11](#) that
1 30 exceed the amount necessary to fund the system's existing
1 31 liabilities, as determined in the annual actuarial valuation
1 32 of the system as of June 30,

~~1993~~

- 1995. If the annual
1 33 actuarial valuation indicates that the amount of the employer
1 34 and employee contributions in excess of the amount necessary
1 35 to fund existing liabilities is less than

~~two~~

- three million
2 1 eight hundred

~~fifty~~

- ~~sixty~~ thousand dollars, the department
2 2 shall set aside all funds that are available. The funds set
2 3 aside shall not be used in

~~determining the percentage~~

-
2 4

~~multiplier pursuant to this section on July 1, 1994, or in~~

-
2 5 determining the covered wage limitation pursuant to section
2 6 97B.41, subsection 20, paragraph "b", subparagraph (11), on
2 7 January 1,

~~1994~~

- ~~1996~~. However, any funds set aside which are
2 8 not specifically dedicated to a purpose by the

~~Seventy-fifth~~

-
2 9 ~~Seventy-sixth~~ General Assembly shall be used in determining
2 10 the

~~percentage multiplier and the~~
- covered wage limitation

2 11 thereafter.

2 12 Sec. 4. Section 97B.49, subsection 13, paragraph c, Code
2 13 1995, is amended to read as follows:

2 14 c. Notwithstanding the determination of the amount of a
2 15 retirement dividend under paragraph "a", "b",

~~or~~

- "~~d~~", ~~or~~ "~~f~~".

2 16 a retirement dividend shall not be less than twenty-five
2 17 dollars.

2 18 Sec. 5. Section [97B.49](#), subsection 13, Code 1995, is
2 19 amended by adding the following new paragraph:

2 20 NEW PARAGRAPH. f. A member who retired from the system
2 21 between July 1, 1986, and June 30, 1990, or a contingent
2 22 annuitant or beneficiary of such a member, shall receive with
2 23 the November 1996 and the November 1997 monthly benefit
2 24 payments a retirement dividend in an amount determined by the
2 25 general assembly. The retirement dividend does not affect the
2 26 amount of a monthly benefit payment.

2 27 Sec. 6. Section [97B.51](#), subsection 2, Code 1995, is
2 28 amended to read as follows:

2 29 2. The election by a member

~~or the contingent annuitant~~

- of

2 30 the option stated under subsection 1 of this section shall be
2 31 null and void if the member dies prior to the

~~department~~

-
2 32

~~issuing payment of the member's first retirement allowance~~

-
2 33 member's first month of entitlement.

2 34 Sec. 7. Section [97B.52](#), subsections 1 and 2, Code 1995,
2 35 are amended to read as follows:

3 1 1. If a member dies prior to the

~~date the~~

- member's

~~first~~

-
3 2

~~retirement allowance is issued by the system~~

- first month of

3 3 entitlement, the accumulated contributions of the member at
3 4 the date of death plus the product of an amount equal to the
3 5 highest year of covered wages of the deceased member and the
3 6 number of years of membership service divided by thirty shall
3 7 be paid to the member's beneficiary in a lump sum payment.
3 8 However, a lump sum payment made to a beneficiary under this
3 9 subsection due to the death of a member shall not be less than
3 10 the amount that would have been payable on the death of the
3 11 member on June 30, 1984, under this subsection as it appeared
3 12 in the 1983 Code.

3 13 Effective July 1, 1978, a method of payment under this
3 14 subsection filed with the department by a member does not
3 15 apply.

3 16 2. If a member dies on or after the

~~date the member's~~

-
3 17

~~first retirement allowance is issued by the retirement system~~

-
3 18 first day of the member's first month of entitlement, the
3 19 excess, if any, of the accumulated contributions by the member
3 20 as of said date, over the total monthly retirement allowances
3 21 received by the member under the retirement system will be
3 22 paid to the member's beneficiary unless the retirement
3 23 allowance is then being paid in accordance with subsection 1,
3 24 4, 5, or 6 of section 97B.51.

3 25 EXPLANATION

3 26 This bill provides for additional moneys to be set aside in
3 27 the Iowa public employees' retirement system and provides that
3 28 the members who retired between July 1, 1986, and June 30,
3 29 1990, will receive a dividend in an amount determined by the
3 30 general assembly.

3 31 The bill also adds a definition for the first month of
3 32 entitlement commencing July 1, 1995, for a member retiring
3 33 under the Iowa public employees' retirement system. A member
3 34 who has terminated employment (if under 70 years of age), who
3 35 has been approved for benefits by the department of personnel,
4 1 and who has attained the month for which the member's first
4 2 retirement allowance is issued has reached the first month of
4 3 entitlement and is eligible to receive benefits under the
4 4 bill.

4 5 LSB 2234SC 76

4 6 rj/cf/24