

# Senate File 112 - Introduced

SENATE FILE \_\_\_\_\_  
BY HORN

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act concerning the offset of workers' compensation benefits  
2 under the peace officers' retirement, accident, and disability  
3 retirement system and including an effective date and  
4 retroactive applicability provision.  
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
6 TLSB 2325SS 82  
7 ec/es/88

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1 1 Section 1. Section 97A.6, subsection 11, Code 2007, is  
1 2 amended to read as follows:  
1 3 11. PENSIONS OFFSET BY COMPENSATION BENEFITS. Any amounts  
1 4 which may be paid or payable by the state under the provisions  
1 5 of any workers' compensation or similar law to a member or to  
1 6 the dependents of a member on account of any disability or  
1 7 death, shall be offset against and payable in lieu of any  
1 8 benefits payable out of funds provided by the state under the  
1 9 provisions of this chapter on account of the same disability  
1 10 or death except as otherwise provided by this subsection. In  
1 11 case the present value of the total commuted benefits under  
1 12 said workers' compensation or similar law is less than the  
1 13 pension reserve on the benefits otherwise payable from funds  
1 14 provided by the state under this chapter, then the present  
1 15 value of the commuted payments shall be deducted from the  
1 16 pension reserve and such benefits as may be provided by the  
1 17 pension reserve so reduced shall be payable under the  
1 18 provisions of this chapter. However, a member receiving an  
1 19 accidental disability benefit arising out of an injury,  
1 20 disease, or exposure occurring or aggravated on or after July  
1 21 1, 2000, shall not have the member's pension offset by amounts  
1 22 payable under workers' compensation for a permanent partial  
1 23 disability or permanent total disability pursuant to section  
1 24 85.34, for the same disability or death.

1 25 Sec. 2. EFFECTIVE DATE == RETROACTIVE APPLICABILITY. This  
1 26 Act, being deemed of immediate importance, takes effect upon  
1 27 enactment and is retroactively applicable to July 1, 2000, and  
1 28 is applicable on and after that date.

1 29 EXPLANATION

1 30 This bill provides that a member receiving an accidental  
1 31 disability benefit under the peace officers' retirement,  
1 32 accident, and disability retirement system shall not have  
1 33 their pension offset by any workers' compensation benefits  
1 34 payable to the member for a permanent partial disability or  
1 35 permanent total disability. The bill applies to any injury,  
2 1 disease, or exposure occurring or aggravated on or after July  
2 2 1, 2000, giving rise to a disability benefit and workers'  
2 3 compensation benefits.

2 4 The bill takes effect upon enactment and is retroactively  
2 5 applicable to July 1, 2000.

2 6 LSB 2325SS 82

2 7 ec:nh/es/88