

Senate File 309 - Introduced

SENATE FILE 309

BY BLACK

A BILL FOR

1 An Act prohibiting certain disability payments related to
2 military service from being used as offsets within the Iowa
3 public employees' retirement system.

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

1 Section 1. Section 97B.50A, subsection 5, Code 2011, is
2 amended to read as follows:

3 5. *Offset to allowance.* Notwithstanding any provisions
4 to the contrary in state law, or any applicable contract
5 or policy, any amounts which may be paid or payable by the
6 employer under any workers' compensation, unemployment
7 compensation, employer-paid disability plan, program, or
8 policy, or other law to a member, and any disability payments
9 the member receives pursuant to the federal Social Security
10 Act, 42 U.S.C. § 423 et seq., shall be offset against and
11 payable in lieu of any retirement allowance payable pursuant
12 to this section on account of the same disability. However,
13 any amounts which may be paid or payable by the employer if
14 the employer-paid disability plan, program, or policy derives
15 from serving in the armed services of the United States and
16 the employee is discharged or separated from service in the
17 armed forces under honorable conditions shall not be offset
18 against and payable in lieu of any retirement allowance payable
19 pursuant to this section on account of the same disability.

20 EXPLANATION

21 This bill requires that any disability payments earned for
22 service in the armed services of the United States not be
23 used to offset allowances within the Iowa public employees'
24 retirement system (IPERS) for IPERS members who are employed in
25 a protection occupation.