

FILED MAR 20 2006

STATE GOVERNMENT

SENATE FILE 2389
BY GRONSTAL and IVERSON

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:

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STATE GOVERNMENT

SF 2389

1 Section 1. Section 97A.6, subsection 11, Code Supplement
2 2005, is amended to read as follows:

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

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

29 EXPLANATION

30 This bill provides that a member receiving an accidental
31 disability benefit under the peace officers' retirement,
32 accident, and disability retirement system shall not have
33 their pension offset by any workers' compensation benefits
34 payable to the member for a permanent partial disability or
35 permanent total disability. The bill applies to any injury,

1 disease, or exposure occurring or aggravated on or after July
2 1, 2000, giving rise to a disability benefit and workers'
3 compensation benefits.

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

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