

1 _____ BILL NO. _____

2 INTRODUCED BY _____
(Primary Sponsor)

3 BY REQUEST OF THE STATE ADMINISTRATION AND VETERANS' AFFAIRS INTERIM COMMITTEE

4

5 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE RETIREMENT CRITERIA FOR THE HIGHWAY
6 PATROL OFFICERS' RETIREMENT SYSTEM AND THE SHERIFFS' RETIREMENT SYSTEM; AMENDING
7 SECTIONS 19-6-501 AND 19-7-501, MCA; AND PROVIDING EFFECTIVE DATES."

8

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10

11 **Section 1.** Section 19-6-501, MCA, is amended to read:

12 **"19-6-501. Eligibility for service retirement benefit.** (1) (a) Subject to a member's right to a refund
13 of the member's accumulated contributions under Title 19, chapter 2, part 6, a member ~~hired on or before June~~
14 ~~30, 2023,~~ is eligible to receive a nonforfeitable service retirement benefit under 19-6-502 after completing 20
15 years or more of membership service and terminating service.

16 (b) ~~Subject to a member's right to a refund of the member's accumulated contributions under Title~~
17 ~~19, chapter 2, part 6, a member hired on or after July 1, 2023, is eligible to receive a nonforfeitable service~~
18 ~~retirement benefit under 19-6-502 after completing 20 years or more of membership service, reaching the age~~
19 ~~of 50, and terminating service.~~

20 (2) For the purposes of compliance with section 411 of the Internal Revenue Code, 26 U.S.C. 411,
21 a vested member ~~is treated as having~~ who has either reached age 50 or completed 20 years of membership
22 service, whichever occurs later, has attained normal retirement age and has a nonforfeitable right to the
23 member's service retirement."

24

25 **Section 2.** Section 19-7-501, MCA, is amended to read:

26 **"19-7-501. Eligibility for service retirement benefit.** (1) (a) Subject to a member's right to a refund
27 of the member's accumulated contributions under Title 19, chapter 2, part 6, a member ~~hired on or before June~~
28 ~~30, 2023,~~ who has completed at least 20 years of membership service is eligible for a nonforfeitable service

1 retirement benefit under 19-7-503.

2 (b) ~~Subject to a member's right to a refund of the member's accumulated contributions under Title~~
3 ~~19, chapter 2, part 6, a member hired on or after July 1, 2023, who has completed at least 20 years of~~
4 ~~membership service and reached 50 years of age is eligible for a nonforfeitable service retirement benefit under~~
5 ~~19-7-503.~~

6 (2) For the purposes of compliance with section 411 of the Internal Revenue Code, 26 U.S.C. 411,
7 a vested member described in subsection (1)(a) or (1)(b) is treated as having attained normal retirement age
8 and who has either reached age 50 or completed 20 years of membership service, whichever occurs later, has
9 attained normal retirement age and has a nonforfeitable right to the member's service retirement."

10

11 NEW SECTION. Section 3. Effective date. [This act] is effective on passage and approval.

12

13 NEW SECTION. Section 4. Retroactive applicability. [This act] applies retroactively, within the
14 meaning of 1-2-109, to members of the highway patrol officers' retirement system and the sheriffs' retirement
15 system hired on or after July 1, 2023.

16

- END -