

**HOUSE BILL NO. 1137  
with Senate Amendments**

Fifty-fifth  
Legislative Assembly  
of North Dakota

**HOUSE BILL NO. 1137**

Introduced by

Government and Veterans Affairs Committee

(At the request of the Public Employees Retirement System)

1 A BILL for an Act to amend and reenact subdivision a of subsection 3 and subdivisions a and e  
2 of subsection 4 of section 54-52-17, sections 54-52-17.5, and 54-52-17.10 of the North Dakota  
3 Century Code, relating to normal retirement date, computation of benefits, disability retirement  
4 benefits, postretirement adjustments, and prior service retiree adjustments under the public  
5 employees retirement system.

6 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

7 **SECTION 1. AMENDMENT.** Subdivision a of subsection 3 of section 54-52-17 of the  
8 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

9 a. Normal retirement date, except for a national guard security officer or  
10 firefighter, is:

11 (1) The first day of the month next following the month in which the  
12 member attains the age of sixty-five years; or

13 (2) When the member has a combined total of years of service credit and  
14 years of age equal to ~~eighty-eight~~ eighty-five and has not received a  
15 retirement benefit under this chapter.

16 **SECTION 2. AMENDMENT.** Subdivisions a and e of subsection 4 of section 54-52-17  
17 of the 1995 Supplement to the North Dakota Century Code are amended and reenacted as  
18 follows:

19 a. Normal retirement benefits for all retirees, except supreme and district court  
20 judges, reaching normal retirement date equal an annual amount, payable  
21 monthly, comprised of a service benefit and a prior service benefit, as defined  
22 in this chapter, which is determined as follows:

(1) Service benefit equals one and ~~seventy-four~~ seventy-seven hundredths percent of final average salary multiplied by the number of years of service employment.

(2) Prior service benefit equals one and ~~seventy-four~~ seventy-seven hundredths percent of final average salary multiplied by the number of years of prior service employment.

(3) All participants who retired before ~~January 1, 1994~~ August 1, 1997, are entitled to benefits calculated at one and ~~seventy-four~~ seventy-seven hundredths percent of final average salary, multiplied by the number of years of service employment, with the increased benefits payable beginning ~~January 1, 1994~~ August 1, 1997.

e. Disability retirement benefits are twenty-five percent of the member's final average salary. The minimum monthly disability retirement benefit under this section is one hundred dollars. A participant who, on July 31, 1997, is receiving disability retirement benefits that are not based upon the benefit multiplier is entitled to receive an increase in benefits equal to five percent of the individual's present benefit with the increased benefits payable beginning August 1, 1997.

**SECTION 3. AMENDMENT.** Section 54-52-17.5 of the North Dakota Century Code is amended and reenacted as follows:

**54-52-17.5. Postretirement adjustments.** An individual who, on ~~June 30, 1989~~ July 31, 1997, is receiving retirement benefits under ~~this chapter~~ subdivision a of subsection 4 of section 54-52-17 is entitled to receive an increase in benefits equal to ~~five and seventy-six hundredths~~ three percent of the individual's present benefits with the increase payable beginning August 1, 1997.

**SECTION 4. AMENDMENT.** Section 54-52-17.10 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

**54-52-17.10. Prior service retiree adjustment.** Prior service retirees who are receiving benefits under this chapter on ~~December 31, 1993~~ July 31, 1997, are entitled to receive an increase in benefits equal to ~~one~~ five percent of the individual's present benefit, with the increased benefits payable beginning ~~January 1, 1994~~ August 1, 1997. A prior service

- 1 retiree is a former participating employee who receives a supplemental monthly payment from
- 2 the retirement system based upon the original prior service credit system.