

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1183

Page 1, line 2, remove "subdivision d of"

Page 1, line 4, after "officers" insert "; and to provide for a legislative management study"

Page 2, line 4, after "1." insert "a."

Page 2, line 4, remove the overstrike over "~~bureau of criminal investigation~~"

Page 2, line 4, remove "state"

Page 2, line 6, remove the overstrike over "~~four~~"

Page 2, line 6, remove "six"

Page 2, line 6, remove the overstrike over "~~Peace officer contributions increase~~"

Page 2, remove the overstrike over lines 7 and 8

Page 2, line 9, remove the overstrike over "~~the reporting period of January 2013.~~" and insert immediately thereafter:

"b. Each peace officer employed by the state, other than a peace officer employed by the bureau of criminal investigation, who is a member of the public employees retirement system is assessed and shall pay six percent of the employee's monthly salary.

c."

Page 2, after line 13, insert:

d."

Page 3, line 29, after "e." insert "(1)"

Page 3, line 29, remove the overstrike over "~~bureau of criminal~~"

Page 3, line 30, remove the overstrike over "~~investigation~~"

Page 3, line 30, remove "state"

Page 4, line 1, overstrike "(1)" and insert immediately thereafter "(a)"

Page 4, line 4, overstrike "(2)" and insert immediately thereafter "(b)"

Page 4, after line 6, insert:

"(2) Normal retirement date for a peace officer employed by the state, other than a peace officer employed by the bureau of criminal investigation, is:

(a) The first day of the month next following the month in which the peace officer attains the age of fifty-five years and has completed at least three eligible years of employment; or

- (b) When the peace officer has a combined total of years of service credit and years of age equal to eighty-five and has not received a retirement benefit under this chapter."

Page 4, line 10, after "g." insert "(1)"

Page 4, line 15, after the period insert

"(2)"

Page 4, line 19, after the period insert

"(3)"

Page 4, line 19, after "state" insert ", other than a peace officer employed by the bureau of criminal investigation."

Page 4, after line 24, insert:

- "(4) For a peace officer employed by the bureau of criminal investigation, early retirement date is the first day of the month next following the month in which the peace officer attains the age of fifty years and has completed at least three years of eligible employment."

Page 5, remove lines 17 through 31

Page 6, replace lines 1 and 2 with:

**"SECTION 4. AMENDMENT.** Subsection 4 of section 54-52-17 of the North Dakota Century Code is amended and reenacted as follows:

4. The board shall calculate retirement benefits as follows:

- a. Normal retirement benefits for all retirees, except supreme and district court judges, peace officers employed by the bureau of criminal investigation, and other peace officers employed by the state, reaching normal retirement date equal an annual amount, payable monthly, comprised of a service benefit and a prior service benefit, as defined in this chapter, which is determined as follows:

(1) For members first enrolled:

- (a) Before January 1, 2020, service benefit equals two percent of final average salary multiplied by the number of years of service employment.
- (b) After December 31, 2019, service benefit equals one and seventy-five hundredths percent of final average salary multiplied by the number of years of service employment.

(2) Prior service benefit equals two percent of final average salary multiplied by the number of years of prior service employment.

- b. Normal retirement benefits for all supreme and district court judges under the public employees retirement system reaching normal retirement date equal an annual amount, payable monthly, comprised of a benefit as defined in this chapter, determined as follows:

- (1) Benefits must be calculated from the time of appointment or election to the bench and must equal three and one-half percent of final average salary multiplied by the first ten years of judicial service, two and eighty hundredths percent of final average salary multiplied by the second ten years of judicial service, and one and one-fourth percent of final average salary multiplied by the number of years of judicial service exceeding twenty years.
  - (2) Service benefits must include, in addition, an amount equal to the percent specified in subdivision a of final average salary multiplied by the number of years of nonjudicial employee service and employment.
- c. Normal retirement benefits for a peace officer employed by the bureau of criminal investigation reaching the normal retirement date equals an annual amount, payable monthly, comprised of a service benefit and a prior service benefit determined as follows:
- (1) For members first enrolled:
    - (a) Before January 1, 2020, service benefit equals two percent of final average salary multiplied by the number of years of service employment.
    - (b) After December 31, 2019, service benefit equals one and seventy-five hundredths percent of final average salary multiplied by the number of years of service employment.
  - (2) Prior service benefit equals two percent of final average salary multiplied by the number of years of prior service employment.
- d. Normal retirement benefits for a peace officer employed by the state, other than by the bureau of criminal investigation, reaching the normal retirement date equals an annual amount, payable monthly, comprised of a service benefit and a prior service benefit determined as follows:
- (1) For members first enrolled:
    - (a) Before January 1, 2020, service benefit equals two percent of final average salary multiplied by the number of years of service employment.
    - (b) After December 31, 2019, service benefit equals one and seventy-five hundredths percent of final average salary multiplied by the number of years of service employment.
  - (2) Prior service benefit equals two percent of final average salary multiplied by the number of years of prior service employment.
- e. Postponed retirement benefits are calculated as for single life benefits for those members who retired on or after July 1, 1977.
- d-f. Early retirement benefits are calculated as for single life benefits accrued to the date of termination of employment, but must be actuarially reduced to account for benefit payments beginning before the normal retirement date, as determined under subsection 3. Except for a national guard security officer or firefighter, a firefighter employed

~~by a political subdivision, a peace officer, or correctional officer employed by the bureau of criminal investigation or by a political subdivision, a peace officer employed by the state,~~ or a supreme court or district court judge, early retirement benefits for members first enrolled after December 31, 2015, are calculated for single life benefits accrued to the date of termination of employment, but must be reduced by fixed rate of eight percent per year to account for benefit payments beginning before the normal retirement date. A retiree, other than a supreme or district court judge, is eligible for early retirement benefits only after having completed three years of eligible employment. A supreme or district court judge retiree is eligible for early retirement benefits only after having completed five years of eligible employment.

- e.g. Except for supreme and district court judges, disability retirement benefits are twenty-five percent of the member's final average salary. Disability retirement benefits for supreme and district court judges are seventy percent of final average salary reduced by the member's primary social security benefits and by any workforce safety and insurance benefits paid. The minimum monthly disability retirement benefit under this section is one hundred dollars.

**SECTION 5. LEGISLATIVE MANAGEMENT STUDY - PEACE OFFICER AND PUBLIC SAFETY PERSONNEL RETIREMENT PLANS.** During the 2023-24 interim, the legislative management shall consider studying the retirement system for peace officers and public safety personnel in the state. The study must include consideration of the public employees retirement system retirement plans offered to peace officers and safety personnel; how political subdivisions provide retirement benefits to peace officers and safety personnel; how other states provide retirement benefits to peace officers and safety personnel; the level of benefits and contributions in the state, political subdivision, and other state plans; how peace officers and public safety personnel transition between these retirement plans; and factors unique to retirement plans in the public safety sector. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-ninth legislative assembly."

Renumber accordingly