

## SENATE BILL NO.

Introduced by

Senator O'Connell

1 A BILL for an Act to amend and reenact subsection 1 of section 54-52-05 of the North Dakota  
2 Century Code, relating to returning to employment after retirement under the public employees  
3 retirement system.

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

5 **SECTION 1. AMENDMENT.** Subsection 1 of section 54-52-05 of the North Dakota  
6 Century Code is amended and reenacted as follows:

7 1. Every eligible governmental unit employee concurring in the plan must so state in  
8 writing and all future eligible employees are participating members. An employee  
9 who was not enrolled in the retirement system when eligible to participate must be  
10 enrolled immediately upon notice of the employee's eligibility, unless the employee  
11 waives in writing the employee's right to participate for the previous time of  
12 eligibility, to avoid contributing to the fund for past service. An employee who is  
13 eligible for normal retirement who accepts a retirement benefit under this chapter  
14 and who subsequently becomes employed with a participating employer under this  
15 chapter may elect to permanently waive future participation in the retirement plan  
16 and maintain that employee's retirement status. Employees making this election  
17 are not required to make any future contributions to the public employees  
18 retirement system.