

1 SENATE BILL NO. 7

2 INTRODUCED BY W. MCKAMEY

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

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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 AN IMMEDIATE EFFECTIVE DATE AND A
8 RETROACTIVE APPLICABILITY DATE."

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

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

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

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

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

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

27 **"19-7-501. Eligibility for service retirement benefit.** (1) (a) Subject to a member's right to a refund
28 of the member's accumulated contributions under Title 19, chapter 2, part 6, a member ~~hired on or before June~~

1 30, 2023, who has completed at least 20 years of membership service is eligible for a nonforfeitable service
2 retirement benefit under 19-7-503.

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

7 (2) For the purposes of compliance with section 411 of the Internal Revenue Code, 26 U.S.C. 411,
8 a vested member described in subsection (1)(a) or (1)(b) is treated as having attained normal retirement age
9 and who has either reached age 50 or completed 20 years of membership service, whichever occurs later, has
10 attained normal retirement age and has a nonforfeitable right to the member's service retirement."
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12 NEW SECTION. Section 3. Effective date. [This act] is effective on passage and approval.
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14 NEW SECTION. Section 4. Retroactive applicability. [This act] applies retroactively, within the
15 meaning of 1-2-109, to members of the highway patrol officers' retirement system and the sheriffs' retirement
16 system hired on or after July 1, 2023.
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