

SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1329

AN ACT

To repeal sections 56.363, 56.805, 56.807, 56.814, 56.833, 56.840, 169.291, 169.324, 169.350, 169.360, and 169.370, RSMo, and to enact in lieu thereof fourteen new sections relating to retirement benefits for public employees.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI,
AS FOLLOWS:

1 Section A. Sections 56.363, 56.805, 56.807, 56.814, 56.833,
2 56.840, 169.291, 169.324, 169.350, 169.360, and 169.370, RSMo,
3 are repealed and fourteen new sections enacted in lieu thereof,
4 to be known as sections 56.363, 56.805, 56.807, 56.814, 56.833,
5 56.840, 70.227, 70.631, 169.291, 169.324, 169.350, 169.360,
6 169.370, and 278.157, to read as follows:

7 56.363. 1. The county commission of any county may on its
8 own motion and shall upon the petition of ten percent of the
9 total number of people who voted in the previous general election
10 in the county submit to the voters at a general or special
11 election the proposition of making the county prosecutor a
12 full-time position. The commission shall cause notice of the
13 election to be published in a newspaper published within the
14 county, or if no newspaper is published within the county, in a
15 newspaper published in an adjoining county, for three weeks

1 consecutively, the last insertion of which shall be at least ten
2 days and not more than thirty days before the day of the
3 election, and by posting printed notices thereof at three of the
4 most public places in each township in the county. The
5 proposition shall be put before the voters substantially in the
6 following form:

7 Shall the office of prosecuting attorney be made a full-time
8 position in _____ County?

9 ☐ YES

☐ NO

10 If a majority of the voters voting on the proposition vote in
11 favor of making the county prosecutor a full-time position, it
12 shall become effective upon the date that the prosecutor who is
13 elected at the next election subsequent to the passage of such
14 proposal is sworn into office. The position shall then qualify
15 for the retirement benefits available to a full-time prosecutor
16 of a county of the first classification. Any county that elects
17 to make the position of prosecuting attorney full-time shall pay
18 into the Missouri prosecuting attorneys and circuit attorneys'
19 retirement fund at the same contribution amount as paid by
20 counties of the first classification.

21 2. The provisions of subsection 1 of this section
22 notwithstanding, in any county where the proposition of making
23 the county prosecutor a full-time position was submitted to the
24 voters at a general election in 1998 and where a majority of the
25 voters voting on the proposition voted in favor of making the
26 county prosecutor a full-time position, the proposition shall
27 become effective on May 1, 1999. Any prosecuting attorney whose
28 position becomes full time on May 1, 1999, under the provisions

1 of this subsection shall have the additional duty of providing
2 not less than three hours of continuing education to peace
3 officers in the county served by the prosecuting attorney in each
4 year of the term beginning January 1, 1999.

5 3. In counties that, prior to August 28, 2001, have elected
6 pursuant to this section to make the position of prosecuting
7 attorney a full-time position, the county commission may at any
8 time elect to have that position also qualify for the retirement
9 benefit available for a full-time prosecutor of a county of the
10 first classification. Such election shall be made by a majority
11 vote of the county commission and once made shall be irrevocable,
12 unless the voters of the county elect to change the position of
13 prosecuting attorney back to a part-time position under
14 subsection 4 of this section. When such an election is made, the
15 results shall be transmitted to the Missouri prosecuting
16 attorneys and circuit attorneys' retirement system fund, and the
17 election shall be effective on the first day of January following
18 such election. Such election shall also obligate the county to
19 pay into the Missouri prosecuting attorneys and circuit
20 attorneys' system retirement fund the same retirement
21 contributions for full-time prosecutors as are paid by counties
22 of the first classification.

23 4. In any county of the third classification without a
24 township form of government and with more than twelve thousand
25 but fewer than fourteen thousand inhabitants and with a city of
26 the fourth classification with more than one thousand seven
27 hundred but fewer than one thousand nine hundred inhabitants as
28 the county seat that has elected to make the county prosecutor a

1 full-time position under this section after August 28, 2014, the
2 county commission may on its own motion and shall upon the
3 petition of ten percent of the total number of people who voted
4 in the previous general election in the county submit to the
5 voters at a general or special election the proposition of
6 changing the full-time prosecutor position to a part-time
7 position. The commission shall cause notice of the election to
8 be published in a newspaper published within the county, or if no
9 newspaper is published within the county, in a newspaper
10 published in an adjoining county, for three weeks consecutively,
11 the last insertion of which shall be at least ten days and not
12 more than thirty days before the day of the election, and by
13 posting printed notices thereof at three of the most public
14 places in each township in the county. The proposition shall be
15 put before the voters substantially in the following form:

16 Shall the office of prosecuting attorney be made a part-time
17 position in _____ County?

18 ☐ YES

☐ NO

19 If a majority of the voters vote in favor of making the county
20 prosecutor a part-time position, it shall become effective upon
21 the date that the prosecutor who is elected at the next election
22 subsequent to the passage of such proposal is sworn into office.

23 5. In any county that has elected to make the full-time
24 position of county prosecutor a part-time position under
25 subsection 4 of this section, the county's retirement
26 contribution to the retirement system and the retirement benefit
27 earned by the member shall prospectively be that of a part-time
28 prosecutor as established in this chapter. Any retirement

1 contribution made and retirement benefit earned prior to the
2 effective date of the voter-approved proposition under subsection
3 4 of this section shall be maintained by the retirement system
4 and used to calculate the retirement benefit for such prior
5 full-time position service. Under no circumstances shall a
6 member in a part-time prosecutor position earn full-time position
7 retirement benefit service accruals for time periods after the
8 effective date of the proposition changing the county prosecutor
9 back to a part-time position.

10 56.805. As used in sections 56.800 to 56.840, the following
11 words and terms mean:

12 (1) "Annuity", annual payments, made in equal monthly
13 installments, to a retired member from funds provided for, in, or
14 authorized by, the provisions of sections 56.800 to 56.840;

15 (2) "Average final compensation", the average compensation
16 of an employee for the two consecutive years prior to retirement
17 when the employee's compensation was greatest;

18 (3) "Board of trustees" or "board", the board of trustees
19 established by the provisions of sections 56.800 to 56.840;

20 (4) "Compensation", all salary and other compensation
21 payable by a county to an employee for personal services rendered
22 as an employee, including any salary reduction amounts under a
23 cafeteria plan that satisfies 26 U.S.C. Section 125 or an
24 eligible deferred compensation plan that satisfies 26 U.S.C.
25 Section 457 but not including [travel and mileage] reimbursement
26 for any expenses, any consideration for agreeing to terminate
27 employment, or any other nonrecurring or unusual payment that is
28 not part of regular remuneration;

1 (5) "County", the City of St. Louis and each county in the
2 state;

3 (6) "Creditable service", the sum of both membership
4 service and creditable prior service;

5 (7) "Effective date of the establishment of the system",
6 August 28, 1989;

7 (8) "Employee", an elected or appointed prosecuting
8 attorney or circuit attorney who is employed by a county or a
9 city not within a county;

10 (9) "Membership service", service as a prosecuting attorney
11 or circuit attorney after becoming a member that is creditable in
12 determining the amount of the member's benefits under this
13 system;

14 (10) "Prior service", service of a member rendered prior to
15 the effective date of the establishment of the system which is
16 creditable under section 56.823;

17 (11) "Retirement system" or "system", the prosecuting
18 attorneys and circuit attorneys' retirement system authorized by
19 the provisions of sections 56.800 to 56.840.

20 56.807. 1. Beginning August 28, 1989, and continuing
21 monthly thereafter until August 27, 2003, the funds for
22 prosecuting attorneys and circuit attorneys provided for in
23 subsection 2 of this section shall be paid from county or city
24 funds.

25 2. Beginning August 28, 1989, and continuing monthly
26 thereafter until August 27, 2003, each county treasurer shall pay
27 to the system the following amounts to be drawn from the general
28 revenues of the county:

1 (1) For counties of the third and fourth classification
2 except as provided in subdivision (3) of this subsection, three
3 hundred seventy-five dollars;

4 (2) For counties of the second classification, five hundred
5 forty-one dollars and sixty-seven cents;

6 (3) For counties of the first classification, and, except
7 as otherwise provided under section 56.363, counties which
8 pursuant to section 56.363 elect to make the position of
9 prosecuting attorney a full-time position after August 28, 2001,
10 or whose county commission has elected a full-time retirement
11 benefit pursuant to subsection 3 of section 56.363, and the City
12 of St. Louis, one thousand two hundred ninety-one dollars and
13 sixty-seven cents.

14 3. Beginning August 28, 1989, and continuing until August
15 27, 2003, the county treasurer shall at least monthly transmit
16 the sums specified in subsection 2 of this section to the
17 Missouri office of prosecution services for deposit to the credit
18 of the "Missouri Prosecuting Attorneys and Circuit Attorneys'
19 Retirement System Fund", which is hereby created. All moneys
20 held by the state treasurer on behalf of the system shall be paid
21 to the system within ninety days after August 28, 1993. Moneys
22 in the Missouri prosecuting attorneys and circuit attorneys'
23 retirement system fund shall be used only for the purposes
24 provided in sections 56.800 to 56.840 and for no other purpose.

25 4. Beginning August 28, 2003, the funds for prosecuting
26 attorneys and circuit attorneys provided for in this section
27 shall be paid from county or city funds and the surcharge
28 established in this section and collected as provided by this

1 section and sections 488.010 to 488.020.

2 5. (1) Beginning August 28, 2003, each county treasurer
3 shall pay to the system the following amounts to be drawn from
4 the general revenues of the county:

5 (a) For counties of the third and fourth classification
6 except as provided in paragraph (c) of this subdivision, one
7 hundred eighty-seven dollars;

8 (b) For counties of the second classification, two hundred
9 seventy-one dollars;

10 (c) For counties of the first classification, counties
11 which pursuant to section 56.363 elect to make the position of
12 prosecuting attorney a full-time position after August 28, 2001,
13 or whose county commission has elected a full-time retirement
14 benefit pursuant to subsection 3 of section 56.363, and the City
15 of St. Louis, six hundred forty-six dollars.

16 (2) Beginning August 28, 2015, the county contribution set
17 forth in paragraphs (a) to (c) of subdivision (1) of this
18 subsection shall be adjusted in accordance with the following
19 schedule based upon the prosecuting attorneys and circuit
20 attorneys' retirement system's annual actuarial valuation report.
21 If the system's funding ratio is:

22 (a) One hundred twenty percent or more, no monthly sum
23 shall be transmitted;

24 (b) More than one hundred ten percent but less than one
25 hundred twenty percent, the monthly sum transmitted shall be
26 reduced fifty percent;

27 (c) At least ninety percent and up to and including one
28 hundred ten percent, the monthly sum transmitted shall remain the

1 same;

2 (d) At least eighty percent and less than ninety percent,
3 the monthly sum transmitted shall be increased fifty percent; and

4 (e) Less than eighty percent, the monthly sum transmitted
5 shall be increased one hundred percent.

6 6. Beginning August 28, 2003, the county treasurer shall at
7 least monthly transmit the sums specified in subsection 5 of this
8 section to the Missouri office of prosecution services for
9 deposit to the credit of the Missouri prosecuting attorneys and
10 circuit attorneys' retirement system fund. Moneys in the
11 Missouri prosecuting attorneys and circuit attorneys' retirement
12 system fund shall be used only for the purposes provided in
13 sections 56.800 to 56.840, and for no other purpose.

14 7. Beginning August 28, 2003, the following surcharge for
15 prosecuting attorneys and circuit attorneys shall be collected
16 and paid as follows:

17 (1) There shall be assessed and collected a surcharge of
18 four dollars in all criminal cases filed in the courts of this
19 state including violation of any county ordinance, any violation
20 of criminal or traffic laws of this state, including infractions,
21 and against any person who has pled guilty for any violation and
22 paid a fine through a fine collection center, but no such
23 surcharge shall be assessed when the costs are waived or are to
24 be paid by the state, county, or municipality or when a criminal
25 proceeding or the defendant has been dismissed by the court. For
26 purposes of this section, the term "county ordinance" shall
27 include any ordinance of the City of St. Louis;

28 (2) The clerk responsible for collecting court costs in

1 criminal cases shall collect and disburse such amounts as
2 provided by sections 488.010 to 488.026. Such funds shall be
3 payable to the prosecuting attorneys and circuit attorneys'
4 retirement fund. Moneys credited to the prosecuting attorneys
5 and circuit attorneys' retirement fund shall be used only for the
6 purposes provided for in sections 56.800 to 56.840 and for no
7 other purpose.

8 8. The board may accept gifts, donations, grants and
9 bequests from private or public sources to the Missouri
10 prosecuting attorneys and circuit attorneys' retirement system
11 fund.

12 9. No state moneys shall be used to fund section 56.700 and
13 sections 56.800 to 56.840 unless provided for by law.

14 10. Beginning January first following the effective date of
15 this act, all members, who upon vesting and retiring are eligible
16 to receive a normal annuity equal to fifty percent of the final
17 average compensation and, as a condition of participation, shall
18 contribute two percent of their gross salary to the fund.
19 Beginning on January 1, 2020, each such member shall contribute
20 four percent of their gross salary to the fund. Each county
21 treasurer shall deduct the appropriate amount from the gross
22 salary of the prosecuting attorney or circuit attorney and, at
23 least monthly, shall transmit the sum to the prosecuting attorney
24 and circuit attorney retirement system for deposit in the
25 prosecuting attorneys and circuit attorneys' retirement fund.

26 11. Upon separation from the system, a nonvested member
27 shall receive a lump sum payment equal to the total contribution
28 of the member without interest or other increases in value.

1 12. Upon retirement and in the sole discretion of the board
2 on the advice of the actuary, a member shall receive a lump sum
3 payment equal to the total contribution of the member without
4 interest or other increases in value, but such lump sum shall not
5 exceed twenty-five percent of the final average compensation of
6 the member. This amount shall be in addition to any retirement
7 benefits to which the member is entitled.

8 13. Upon the death of a nonvested member or the death of a
9 vested member prior to retirement, the lump sum payment in
10 subsection 11 or 12 of this section shall be made to the
11 designated beneficiary of the member or, if no beneficiary has
12 been designated, to the member's estate.

13 56.814. 1. Any [member] person who became a member prior
14 to January 1, 2019, who has attained the age of sixty-two years
15 and who has twelve years or more of creditable service as
16 prosecuting attorney or circuit attorney may retire with a normal
17 annuity as determined in subsection 3 of section 56.840.

18 2. Any person who becomes a member on or after January 1,
19 2019, who has attained the age of sixty-five and who has twelve
20 years or more of creditable service as a prosecuting attorney or
21 circuit attorney may retire with a normal annuity.

22 56.833. 1. Upon termination of employment, any [member
23 with twelve or more years of creditable service] person who
24 became a member prior to January 1, 2019, shall be entitled to a
25 deferred normal annuity, payable at age fifty-five with twelve or
26 more years of creditable service as determined in subsection 3 of
27 section 56.840. Upon termination of employment, any person who
28 became a member on or after January 1, 2019, shall be entitled to

1 a deferred normal annuity, payable at age sixty with twelve or
2 more years of creditable service as determined in subsection 3 of
3 section 56.840. Any member with less than twelve years of
4 creditable service shall forfeit all rights in the fund,
5 including the member's accrued creditable service as of the date
6 of the member's termination of employment.

7 2. A former member who has forfeited creditable service may
8 have the creditable service restored by again becoming an
9 employee [and] within ten years of the date of the termination of
10 employment, completing four years of continuous membership
11 service, and contributing an amount to the fund equal to any lump
12 sum payment received under subsections 11 and 12 of section
13 56.807. Notwithstanding any other provision of section 104.800
14 to the contrary, a former member shall not be entitled to
15 transfer creditable service into this retirement system unless
16 the member previously vested in this system.

17 3. Absences for sickness or injury of less than twelve
18 months shall be counted as membership service.

19 56.840. 1. Annuity payments to retired employees under the
20 provisions of sections 56.800 to 56.840 shall be available
21 beginning January first next succeeding the expiration of two
22 calendar years from the effective date of the establishment of
23 the system to eligible retired employees, and employees with at
24 least twelve years of creditable service shall have vested rights
25 and upon reaching the required age shall be entitled to
26 retirement benefits.

27 2. All members serving as a prosecuting attorney or circuit
28 attorney in a county of the first classification, a county with a

1 charter form of government, or a city not within a county shall
2 receive one year of creditable service for each year served.

3 3. Notwithstanding any provision of law to the contrary,
4 members serving as a prosecuting attorney in counties that
5 elected to make the position of prosecuting attorney a full-time
6 position shall receive one year of creditable vesting service for
7 each year served as a part-time or full-time prosecuting
8 attorney. Such members shall receive one year of creditable
9 benefit service for each year served as a full-time prosecuting
10 attorney and six-tenths of a year of creditable benefit service
11 for each year served as a part-time prosecuting attorney. Upon
12 retirement, any member who has less than twelve years of
13 creditable benefit service shall receive a reduced full-time
14 benefit in a sum equal to the portion that the member's
15 creditable benefit years bear to twelve vesting years.

16 4. Members restoring creditable service under subsection 2
17 of section 56.833 shall receive one year of creditable service
18 for each restored year served as a full-time prosecuting attorney
19 and six-tenths of a year of creditable service for each restored
20 year served as a part-time prosecuting attorney. Unless
21 otherwise permitted by law, no member shall receive credit for
22 any partial year of employment.

23 5. Notwithstanding any provision of law to the contrary,
24 any member who vested in the system as a part-time prosecuting
25 attorney and who ceased being a member for more than six months
26 before returning as a full-time prosecuting attorney shall be
27 entitled only to retirement benefits as a part-time prosecuting
28 attorney. Any creditable service earned by such an employee upon

1 returning to the system as a full-time prosecuting attorney shall
2 begin a new vesting period subject to the provision of the system
3 in effect at the time of the member's return. No member shall
4 receive benefits while employed as a prosecuting attorney or
5 circuit attorney.

6 70.227. 1. For purposes of this section, the following
7 terms mean:

8 (1) "Local units", the same meaning given to the term under
9 section 251.160;

10 (2) "Transportation planning boundary", the same meaning
11 given to the term under section 251.160.

12 2. Notwithstanding the provisions of sections 70.600 to
13 70.755 to the contrary, a metropolitan planning organization
14 organized under 23 U.S.C. Section 134 and designated by the
15 governor shall be considered a political subdivision for the
16 purposes of sections 70.600 to 70.755, and employees of such
17 metropolitan planning organization shall be eligible for
18 membership in the Missouri local government employees' retirement
19 system upon the metropolitan planning organization becoming an
20 employer, as defined in subdivision (11) of section 70.600.

21 3. Upon receipt of certified copies of resolutions
22 recommending the dissolution of a metropolitan planning
23 organization adopted by the governing bodies of a majority of the
24 local units within the transportation planning boundary served by
25 the metropolitan planning organization, and upon a finding that
26 all outstanding indebtedness of the metropolitan planning
27 organization has been paid, including moneys owed to any
28 retirement plan or system in which the organization participates

1 and has pledged to pay for the unfunded accrued liability of its
2 past and current employees, and all unexpended funds returned to
3 the local units that supplied them or adequate provision made for
4 the funds, the governor shall issue a certificate of dissolution
5 of the organization, which shall thereupon cease to exist. If
6 such organization was formally incorporated as a Missouri
7 nonprofit corporation, the secretary of state shall issue such
8 certificate of dissolution.

9 70.631. 1. Each political subdivision may, by majority
10 vote of its governing body, elect to cover emergency medical
11 service personnel as firefighter members of the system. The
12 clerk or secretary of the political subdivision shall certify an
13 election concerning the coverage of emergency medical service
14 personnel as firefighter members of the system to the board
15 within ten days after such vote. The date on which the political
16 subdivision's election becomes effective shall be the first day
17 of the calendar month specified by such governing body, the first
18 day of the calendar month next following receipt by the board of
19 the certification of the election, or the effective date of the
20 political subdivision becoming an employer, whichever is the
21 latest date. Such election shall not be changed after the
22 effective date. If the election is made, the coverage provisions
23 shall be applicable to past and future employment with the
24 employer by present and future employees.

25 2. If an employer elects to cover emergency medical service
26 personnel as firefighter members of the system, the employer
27 contributions shall be correspondingly changed effective the same
28 date as the effective date of the political subdivision's

1 election.

2 3. The limitation on increases in an employer's
3 contributions under subsection 6 of section 70.730 shall not
4 apply to any contribution increase resulting from an employer
5 making an election under the provisions of this section.

6 169.291. 1. The general administration and the
7 responsibility for the proper operation of the retirement system
8 are hereby vested in a board of trustees of twelve persons who
9 shall be resident taxpayers of the school district, as follows:

10 (1) Four trustees to be appointed for terms of four years
11 by the board of education; provided, however, that the terms of
12 office of the first four trustees so appointed shall begin
13 immediately upon their appointment and shall expire one, two,
14 three and four years from the date the retirement system becomes
15 operative, respectively;

16 (2) Four trustees to be elected for terms of four years by
17 and from the members of the retirement system; provided, however,
18 that the terms of office of the first four trustees so elected
19 shall begin immediately upon their election and shall expire one,
20 two, three and four years from the date the retirement system
21 becomes operative, respectively;

22 (3) The ninth trustee shall be the superintendent of
23 schools of the school district;

24 (4) The tenth trustee shall be one retirant of the
25 retirement system elected for a term of four years beginning the
26 first day of January immediately following August 13, 1986, by
27 the retirants of the retirement system;

28 (5) The eleventh trustee shall be appointed for a term of

1 four years beginning the first day of January immediately
2 following August 13, 1990, by the board of trustees described in
3 subdivision (3) of section 182.701;

4 (6) The twelfth trustee shall be a retirant of the
5 retirement system elected for a term of four years beginning the
6 first day of January immediately following August 28, 1992, by
7 the retirants of the retirement system.

8 2. If a vacancy occurs in the office of a trustee, the
9 vacancy shall be filled for the unexpired term in the same manner
10 as the office was previously filled, except that the board of
11 trustees may appoint a qualified person to fill the vacancy in
12 the office of an elected member until the next regular election
13 at which time a member shall be elected for the unexpired term.
14 No vacancy or vacancies on the board of trustees shall impair the
15 power of the remaining trustees to administer the retirement
16 system pending the filling of such vacancy or vacancies.

17 3. In the event of a lapse of the school district's
18 corporate organization as described in subsections 1 and 4 of
19 section 162.081, the general administration and responsibility
20 for the proper operation of the retirement system shall continue
21 to be vested in a twelve-person board of trustees, all of whom
22 shall be resident taxpayers of a city, other than a city not
23 within a county, of four hundred thousand or more. In such
24 event, if vacancies occur in the offices of the four trustees
25 appointed, prior to the lapse, by the board of education, or in
26 the offices of the four trustees elected, prior to the lapse, by
27 the members of the retirement system, or in the office of trustee
28 held, prior to the lapse, by the superintendent of schools in the

1 school district, as provided in subdivisions (1), (2) and (3) of
2 subsection 1 of this section, the board of trustees shall appoint
3 a qualified person to fill each vacancy and subsequent vacancies
4 in the office of trustee for terms of up to four years, as
5 determined by the board of trustees.

6 4. Each trustee shall, before assuming the duties of a
7 trustee, take the oath of office before the court of the judicial
8 circuit or one of the courts of the judicial circuit in which the
9 school district is located that so far as it devolves upon the
10 trustee, such trustee shall diligently and honestly administer
11 the affairs of the board of trustees and that the trustee will
12 not knowingly violate or willingly permit to be violated any of
13 the provisions of the law applicable to the retirement system.
14 Such oath shall be subscribed to by the trustee making it and
15 filed in the office of the clerk of the circuit court.

16 5. Each trustee shall be entitled to one vote in the board
17 of trustees. Seven trustees shall constitute a quorum at any
18 meeting of the board of trustees. At any meeting of the board of
19 trustees where a quorum is present, the vote of at least seven of
20 the trustees in support of a motion, resolution or other matter
21 is necessary to be the decision of the board; provided, however,
22 that in the event of a lapse in the school district's corporate
23 organization as described in subsections 1 and 4 of section
24 162.081, a majority of the trustees then in office shall
25 constitute a quorum at any meeting of the board of trustees, and
26 the vote of a majority of the trustees then in office in support
27 of a motion, resolution or other matter shall be necessary to be
28 the decision of the board.

1 6. The board of trustees shall have exclusive original
2 jurisdiction in all matters relating to or affecting the funds
3 herein provided for, including, in addition to all other matters,
4 all claims for benefits or refunds, and its action, decision or
5 determination in any matter shall be reviewable in accordance
6 with chapter 536 or chapter 621. Subject to the limitations of
7 sections 169.270 to 169.400, the board of trustees shall, from
8 time to time, establish rules and regulations for the
9 administration of funds of the retirement system, for the
10 transaction of its business, and for the limitation of the time
11 within which claims may be filed.

12 7. The trustees shall serve without compensation. The
13 board of trustees shall elect from its membership a chairman and
14 a vice chairman. The board of trustees shall appoint an
15 executive director who shall serve as the administrative officer
16 of the retirement system and as secretary to the board of
17 trustees. It shall employ one or more persons, firms or
18 corporations experienced in the investment of moneys to serve as
19 investment counsel to the board of trustees. The compensation of
20 all persons engaged by the board of trustees and all other
21 expenses of the board necessary for the operation of the
22 retirement system shall be paid at such rates and in such amounts
23 as the board of trustees shall approve, and shall be paid from
24 the investment income.

25 8. The board of trustees shall keep in convenient form such
26 data as shall be necessary for actuarial valuations of the
27 various funds of the retirement system and for checking the
28 experience of the system.

1 9. The board of trustees shall keep a record of all its
2 proceedings which shall be open to public inspection. It shall
3 prepare annually and furnish to the board of education and to
4 each member of the retirement system who so requests a report
5 showing the fiscal transactions of the retirement system for the
6 preceding fiscal year, the amount of accumulated cash and
7 securities of the system, and the last balance sheet showing the
8 financial condition of the system by means of an actuarial
9 valuation of the assets and liabilities of the retirement system.

10 10. The board of trustees shall have, in its own name,
11 power to sue and to be sued, to enter into contracts, to own
12 property, real and personal, and to convey the same; but the
13 members of such board of trustees shall not be personally liable
14 for obligations or liabilities of the board of trustees or of the
15 retirement system.

16 11. The board of trustees shall arrange for necessary legal
17 advice for the operation of the retirement system.

18 12. The board of trustees shall designate a medical board
19 to be composed of three or more physicians who shall not be
20 eligible for membership in the system and who shall pass upon all
21 medical examinations required under the provisions of sections
22 169.270 to 169.400, shall investigate all essential statements
23 and certificates made by or on behalf of a member in connection
24 with an application for disability retirement and shall report in
25 writing to the board of trustees its conclusions and
26 recommendations upon all matters referred to it.

27 13. The board of trustees shall designate an actuary who
28 shall be the technical advisor of the board of trustees on

1 matters regarding the operation of the retirement system and
2 shall perform such other duties as are required in connection
3 therewith. Such person shall be qualified as an actuary by
4 membership as a Fellow of the Society of Actuaries or by similar
5 objective standards.

6 14. At least once in each five-year period the actuary
7 shall make an investigation into the actuarial experience of the
8 members, retirants and beneficiaries of the retirement system
9 and, taking into account the results of such investigation, the
10 board of trustees shall adopt for the retirement system such
11 actuarial assumptions as the board of trustees deems necessary
12 for the financial soundness of the retirement system.

13 15. On the basis of such actuarial assumptions as the board
14 of trustees adopts, the actuary shall make annual valuations of
15 the assets and liabilities of the funds of the retirement system.

16 16. The rate of contribution payable by the employers shall
17 equal one and ninety-nine one-hundredths percent, effective July
18 1, 1993; three and ninety-nine one-hundredths percent, effective
19 July 1, 1995; five and ninety-nine one-hundredths percent,
20 effective July 1, 1996; seven and one-half percent effective
21 January 1, 1999, and for subsequent calendar years through 2013.
22 For calendar year 2014 and each subsequent year, the rate of
23 contribution payable by the employers for each year shall be
24 determined [by the actuary for the retirement system in the
25 manner] as provided in [subsection] subsections 4 and 6 of
26 section 169.350 and shall be certified by the board of trustees
27 to the employers at least six months prior to the date such rate
28 is to be effective.

1 17. In the event of a lapse of a school district's
2 corporate organization as described in subsections 1 and 4 of
3 section 162.081, no retirement system, nor any of the assets of
4 any retirement system, shall be transferred to or merged with
5 another retirement system without prior approval of such transfer
6 or merge by the board of trustees of the retirement system.

7 169.324. 1. The annual service retirement allowance
8 payable pursuant to section 169.320 shall be the retirant's
9 number of years of creditable service multiplied by a percentage
10 of the retirant's average final compensation, determined as
11 follows:

12 (1) A retirant whose last employment as a regular employee
13 ended prior to June 30, 1999, shall receive an annual service
14 retirement allowance payable pursuant to section 169.320 in equal
15 monthly installments for life equal to the retirant's number of
16 years of creditable service multiplied by one and three-fourths
17 percent of the person's average final compensation, subject to a
18 maximum of sixty percent of the person's average final
19 compensation;

20 (2) A retirant whose number of years of creditable service
21 is greater than thirty-four and one-quarter on August 28, 1993,
22 shall receive an annual service retirement allowance payable
23 pursuant to section 169.320 in equal monthly installments for
24 life equal to the retirant's number of years of creditable
25 service as of August 28, 1993, multiplied by one and three-
26 fourths percent of the person's average final compensation but
27 shall not receive a greater annual service retirement allowance
28 based on additional years of creditable service after August 28,

1 1993;

2 (3) A retirant who was an active member of the retirement
3 system at any time on or after June 30, 1999, and who either
4 retires before January 1, 2014, or is a member of the retirement
5 system on December 31, 2013, and remains a member continuously to
6 retirement shall receive an annual service retirement allowance
7 payable pursuant to section 169.320 in equal monthly installments
8 for life equal to the retirant's number of years of creditable
9 service multiplied by two percent of the person's average final
10 compensation, subject to a maximum of sixty percent of the
11 person's final compensation;

12 (4) A retirant who becomes a member of the retirement
13 system on or after January 1, 2014, including any retirant who
14 was a member of the retirement system before January 1, 2014, but
15 ceased to be a member for any reason other than retirement, shall
16 receive an annual service retirement allowance payable pursuant
17 to section 169.320 in equal monthly installments for life equal
18 to the retirant's number of years of creditable service
19 multiplied by one and three-fourths percent of the person's
20 average final compensation, subject to a maximum of sixty percent
21 of the person's average final compensation;

22 (5) Notwithstanding the provisions of subdivisions (1) to
23 (4) of this subsection, effective January 1, 1996, any retirant
24 who retired on, before or after January 1, 1996, with at least
25 twenty years of creditable service shall receive at least three
26 hundred dollars each month as a retirement allowance, or the
27 actuarial equivalent thereof if the retirant elected any of the
28 options available under section 169.326. Any retirant who

1 retired with at least ten years of creditable service shall
2 receive at least one hundred fifty dollars each month as a
3 retirement allowance, plus fifteen dollars for each additional
4 full year of creditable service greater than ten years but less
5 than twenty years (or the actuarial equivalent thereof if the
6 retirant elected any of the options available under section
7 169.326). Any beneficiary of a deceased retirant who retired
8 with at least ten years of creditable service and elected one of
9 the options available under section 169.326 shall also be
10 entitled to the actuarial equivalent of the minimum benefit
11 provided by this subsection, determined from the option chosen.

12 2. Except as otherwise provided in sections 169.331 and
13 169.585, payment of a retirant's retirement allowance will be
14 suspended for any month for which such person receives
15 remuneration from the person's employer or from any other
16 employer in the retirement system established by section 169.280
17 for the performance of services except any such person other than
18 a person receiving a disability retirement allowance under
19 section 169.322 may serve as a nonregular substitute, part-time
20 or temporary employee for not more than six hundred hours in any
21 school year without becoming a member and without having the
22 person's retirement allowance discontinued, provided that through
23 such substitute, part-time, or temporary employment, the person
24 may earn no more than fifty percent of the annual salary or wages
25 the person was last paid by the employer before the person
26 retired and commenced receiving a retirement allowance, adjusted
27 for inflation. If a person exceeds such hours limit or such
28 compensation limit, payment of the person's retirement allowance

1 shall be suspended for the month in which such limit was exceeded
2 and each subsequent month in the school year for which the person
3 receives remuneration from any employer in the retirement system.
4 In addition to the conditions set forth above, the restrictions
5 of this subsection shall also apply to any person retired and
6 currently receiving a retirement allowance under sections 169.270
7 to 169.400, other than for disability, who is employed by a third
8 party or is performing work as an independent contractor if the
9 services performed by such person are provided to or for the
10 benefit of any employer in the retirement system established
11 under section 169.280. The retirement system may require the
12 employer receiving such services, the third-party employer, the
13 independent contractor, and the retirant subject to this
14 subsection to provide documentation showing compliance with this
15 subsection. If such documentation is not provided, the
16 retirement system may deem the retirant to have exceeded the
17 limitations provided for in this subsection. If a retirant is
18 reemployed by any employer in any capacity, whether pursuant to
19 this section, or section 169.331 or 169.585, or as a regular
20 employee, the amount of such person's retirement allowance
21 attributable to service prior to the person's first retirement
22 date shall not be changed by the reemployment. If the person
23 again becomes an active member and earns additional creditable
24 service, upon the person's second retirement the person's
25 retirement allowance shall be the sum of:

26 (1) The retirement allowance the person was receiving at
27 the time the person's retirement allowance was suspended,
28 pursuant to the payment option elected as of the first retirement

1 date, plus the amount of any increase in such retirement
2 allowance the person would have received pursuant to subsection 3
3 of this section had payments not been suspended during the
4 person's reemployment; and

5 (2) An additional retirement allowance computed using the
6 benefit formula in effect on the person's second retirement date,
7 the person's creditable service following reemployment, and the
8 person's average final annual compensation as of the second
9 retirement date.

10
11 The sum calculated pursuant to this subsection shall not exceed
12 the greater of sixty percent of the person's average final
13 compensation as of the second retirement date or the amount
14 determined pursuant to subdivision (1) of this subsection.
15 Compensation earned prior to the person's first retirement date
16 shall be considered in determining the person's average final
17 compensation as of the second retirement date if such
18 compensation would otherwise be included in determining the
19 person's average final compensation.

20 3. The board of trustees shall determine annually whether
21 the investment return on funds of the system can provide for an
22 increase in benefits for retirants eligible for such increase. A
23 retirant shall and will be eligible for an increase awarded
24 pursuant to this section as of the second January following the
25 date the retirant commenced receiving retirement benefits. Any
26 such increase shall also apply to any monthly joint and survivor
27 retirement allowance payable to such retirant's beneficiaries,
28 regardless of age. The board shall make such determination as

1 follows:

2 (1) After determination by the actuary of the investment
3 return for the preceding year as of December thirty-first (the
4 "valuation year"), the actuary shall recommend to the board of
5 trustees what portion of the investment return is available to
6 provide such benefits increase, if any, and shall recommend the
7 amount of such benefits increase, if any, to be implemented as of
8 the first day of the thirteenth month following the end of the
9 valuation year, and first payable on or about the first day of
10 the fourteenth month following the end of the valuation year.
11 The actuary shall make such recommendations so as not to affect
12 the financial soundness of the retirement system, recognizing the
13 following safeguards:

14 (a) The retirement system's funded ratio as of January
15 first of the year preceding the year of a proposed increase shall
16 be at least one hundred percent ~~[after]~~ before adjusting for the
17 effect of the proposed increase. The funded ratio is the ratio
18 of assets to the pension benefit obligation;

19 (b) The actuarially required contribution rate, ~~[after]~~
20 before adjusting for the effect of the proposed increase, may not
21 exceed the then applicable employer and member contribution rate
22 as determined under ~~[subsection]~~ subsections 4, 5, and 6 of
23 section 169.350;

24 (c) The actuary shall certify to the board of trustees that
25 the proposed increase will not impair the actuarial soundness of
26 the retirement system;

27 (d) A benefit increase, under this section, once awarded,
28 cannot be reduced in succeeding years;

1 (2) The board of trustees shall review the actuary's
2 recommendation and report and shall, in their discretion,
3 determine if any increase is prudent and, if so, shall determine
4 the amount of increase to be awarded.

5 4. This section does not guarantee an annual increase to
6 any retirant.

7 5. If an inactive member becomes an active member after
8 June 30, 2001, and after a break in service, unless the person
9 earns at least four additional years of creditable service
10 without another break in service, upon retirement the person's
11 retirement allowance shall be calculated separately for each
12 separate period of service ending in a break in service. The
13 retirement allowance shall be the sum of the separate retirement
14 allowances computed for each such period of service using the
15 benefit formula in effect, the person's average final
16 compensation as of the last day of such period of service and the
17 creditable service the person earned during such period of
18 service; provided, however, if the person earns at least four
19 additional years of creditable service without another break in
20 service, all of the person's creditable service prior to and
21 including such service shall be aggregated and, upon retirement,
22 the retirement allowance shall be computed using the benefit
23 formula in effect and the person's average final compensation as
24 of the last day of such period of four or more years and all of
25 the creditable service the person earned prior to and during such
26 period.

27 6. Notwithstanding anything contained in this section to
28 the contrary, the amount of the annual service retirement

1 allowance payable to any retirant pursuant to the provisions of
2 sections 169.270 to 169.400, including any adjustments made
3 pursuant to subsection 3 of this section, shall at all times
4 comply with the provisions and limitations of Section 415 of the
5 Internal Revenue Code of 1986, as amended, and the regulations
6 thereunder, the terms of which are specifically incorporated
7 herein by reference.

8 7. All retirement systems established by the laws of the
9 state of Missouri shall develop a procurement action plan for
10 utilization of minority and women money managers, brokers and
11 investment counselors. Such retirement systems shall report
12 their progress annually to the joint committee on public employee
13 retirement and the governor's minority advocacy commission.

14 169.350. 1. All of the assets of the retirement system
15 (other than tangible real or personal property owned by the
16 retirement system for use in carrying out its duties, such as
17 office supplies and furniture) shall be credited, according to
18 the purpose for which they are held, in either the employees'
19 contribution fund or the general reserve fund.

20 (1) The employees' contribution fund shall be the fund in
21 which shall be accumulated the contributions of the members. The
22 employer shall, except as provided in subdivision (5) of this
23 subsection, cause to be deducted from the compensation of each
24 member on each and every payroll, for each and every payroll
25 period, the pro rata portion of five and nine-tenths percent of
26 his annualized compensation. Effective January 1, 1999, through
27 December 31, 2013, the employer shall deduct an additional one
28 and six-tenths percent of the member's annualized compensation.

1 For 2014 and for each subsequent year, the employer shall deduct
2 from each member's annualized compensation the rate of
3 contribution determined for such year [by the actuary for the
4 retirement system in the manner] as provided in [subsection]
5 subsections 4, 5, and 6 of this section.

6 (2) The employer shall pay all such deductions and any
7 amount it may elect to pay pursuant to subdivision (5) of this
8 subsection to the retirement system at once. The retirement
9 system shall credit such deductions and such amounts to the
10 individual account of each member from whose compensation the
11 deduction was made or with respect to whose compensation the
12 amount was paid pursuant to subdivision (5) of this subsection.
13 In determining the deduction for a member in any payroll period,
14 the board of trustees may consider the rate of compensation
15 payable to such member on the first day of the payroll period as
16 continuing throughout such period.

17 (3) The deductions provided for herein are declared to be a
18 part of the compensation of the member and the making of such
19 deductions shall constitute payments by the member out of the
20 person's compensation and such deductions shall be made
21 notwithstanding that the amount actually paid to the member after
22 such deductions is less than the minimum compensation provided by
23 law for any member. Every member shall be deemed to consent to
24 the deductions made and provided for herein, and shall receipt
25 for the person's full compensation, and the making of the
26 deduction and the payment of compensation less the deduction
27 shall be a full and complete discharge and acquittance of all
28 claims and demands whatsoever for services rendered during the

1 period covered by the payment except as to benefits provided by
2 sections 169.270 to 169.400.

3 (4) The accumulated contributions with interest of a member
4 withdrawn by the person or paid to the person's estate or
5 designated beneficiary in the event of the person's death before
6 retirement shall be paid from the employees' contribution fund.
7 Upon retirement of a member the member's accumulated
8 contributions with interest shall be transferred from the
9 employees' contribution fund to the general reserve fund.

10 (5) The employer may elect to pay on behalf of all members
11 all or part of the amount that the members would otherwise be
12 required to contribute to the employees' contribution fund
13 pursuant to subdivision (1) of this subsection. Such amounts
14 paid by the employer shall be in lieu of members' contributions
15 and shall be treated for all purposes of sections 169.270 to
16 169.400 as contributions made by members. Notwithstanding any
17 other provision of this chapter to the contrary, no member shall
18 be entitled to receive such amounts directly. The election shall
19 be made by a duly adopted resolution of the employer's board and
20 shall remain in effect for at least one year from the effective
21 date thereof. The election may be thereafter terminated only by
22 an affirmative act of the employer's board notwithstanding any
23 limitation in the term thereof in the adopting resolution. Any
24 such termination resolution shall be adopted at least sixty days
25 prior to the effective date thereof, and the effective date
26 thereof shall coincide with a fiscal year-end of the employer.
27 In the absence of such a termination resolution, the election
28 shall remain in effect from fiscal year to fiscal year.

1 2. The general reserve fund shall be the fund in which
2 shall be accumulated all reserves for the payment of all benefit
3 expenses and other demands whatsoever upon the retirement system
4 except those items heretofore allocated to the employees'
5 contribution fund.

6 (1) All contributions by the employer, except those the
7 employer elects to make on behalf of the members pursuant to
8 subdivision (5) of subsection 1 of this section, shall be
9 credited to the general reserve fund.

10 (2) Should a retirant be restored to active service and
11 again become a member of the retirement system, the excess, if
12 any, of the person's accumulated contributions over benefits
13 received by the retirant shall be transferred from the general
14 reserve fund to the employees' contribution fund and credited to
15 the person's account.

16 3. Gifts, devises, bequests and legacies may be accepted by
17 the board of trustees and deposited in the general reserve fund
18 to be held, invested and used at its discretion for the benefit
19 of the retirement system except where specific direction for the
20 use of a gift is made by a donor.

21 4. Beginning in 2013, the actuary for the retirement system
22 shall annually calculate the rate of employer contributions and
23 member contributions for 2014 and for each subsequent calendar
24 year through 2018, expressed as a level percentage of the
25 annualized compensation of the members, subject to the following:

26 (1) The rate of contribution for any calendar year shall be
27 determined based on an actuarial valuation of the retirement
28 system as of the first day of the prior calendar year. Such

1 actuarial valuation shall be performed using the actuarial cost
2 method and actuarial assumptions adopted by the board of trustees
3 and in accordance with accepted actuarial standards of practice
4 in effect at the time the valuation is performed, as promulgated
5 by the actuarial standards board or its successor;

6 (2) The target combined employer and member contribution
7 rate shall be the amount actuarially required to cover the normal
8 cost and amortize any unfunded accrued actuarial liability over a
9 period that shall not exceed thirty years from the date of the
10 valuation;

11 (3) The target combined rate as so determined shall be
12 allocated equally between the employer contribution rate and the
13 member contribution rate, provided, however, that the level rate
14 of contributions to be paid by the employers and the level rate
15 of contributions to be deducted from the compensation of members
16 for any calendar year shall each be limited as follows:

17 (a) The contribution rate shall not be less than seven and
18 one-half percent;

19 (b) The contribution rate shall not exceed nine percent;
20 and

21 (c) Changes in the contribution rate from year to year
22 shall be in increments of one-half percent such that the
23 contribution rate for any year shall not be greater than or less
24 than the rate in effect for the prior year by more than one-half
25 percent;

26 (4) The board of trustees shall certify to the employers
27 the contribution rate for the following calendar year no later
28 than six months prior to the date such rate is to be effective.

1 5. The member contribution rate for 2019 and subsequent
2 periods shall be nine percent of compensation unless a lower
3 member contribution rate applies for any period beginning on or
4 after July 1, 2021, in accordance with the provisions of
5 subdivision (4) of subsection 6 of this section.

6 6. The employer contribution rate for calendar year 2019
7 shall be ten and one-half percent. The employer contribution
8 rate for the eighteen-month period beginning January 1, 2020,
9 through June 30, 2021, shall be twelve percent. For the twelve-
10 month period beginning July 1, 2021, and for each subsequent
11 twelve-month period beginning July first each year, the employer
12 contribution rate shall be determined as follows:

13 (1) The actuary shall determine the total actuarially
14 required contribution based on an actuarial valuation of the
15 retirement system as of the first day of the preceding calendar
16 year. Such actuarial valuation shall be performed using the
17 actuarial cost method and actuarial assumptions adopted by the
18 board of trustees and in accordance with actuarial standards of
19 practice applicable as of the valuation date. The total
20 actuarially required contribution rate, including both employer
21 and member contributions, shall be an amount determined in
22 accordance with the board's current funding policy, expressed as
23 a level percentage of the annualized compensation of the members;

24 (2) If the retirement system's funded ratio as of the first
25 day of the preceding calendar year is below one hundred percent,
26 the employer contribution rate shall be the greater of twelve
27 percent or the difference between the total actuarially required
28 contribution rate and the nine percent member contribution rate,

1 subject to the limits on annual adjustments stated in subdivision
2 (6) of this subsection;

3 (3) If the retirement system's funded ratio as of the first
4 day of the preceding calendar year equals or exceeds one hundred
5 percent and the total actuarially required contribution rate
6 exceeds eighteen percent, the employer contribution rate shall be
7 the difference between the total actuarially required
8 contribution rate and the nine percent member contribution rate,
9 subject to the limits on annual adjustments stated in subdivision
10 (6) of this subsection;

11 (4) If the retirement system's funded ratio as of the first
12 day of the preceding calendar year equals or exceeds one hundred
13 percent and the total actuarially required contribution rate does
14 not exceed eighteen percent, the total actuarially required
15 contribution rate shall be allocated equally between the employer
16 contribution rate and the member contribution rate. If the total
17 actuarially required contribution rate falls below eighteen
18 percent after being above eighteen percent for the preceding
19 twelve-month period, the member contribution rate and the
20 employer contribution rate shall be adjusted to one-half of the
21 total actuarially required contribution rate for such period,
22 regardless of the magnitude of the decrease from the rate in
23 effect for the prior period, in order to equalize the employer
24 and member contribution rates. Otherwise, adjustments in the
25 contribution rates shall be limited by the annual adjustment
26 limits stated in subdivision (6) of this subsection;

27 (5) If the retirement system's funded ratio as of the first
28 day of the preceding calendar year again falls below one hundred

1 percent, or if the total actuarially required contribution rate
2 rises above eighteen percent, the provisions of subdivision (2)
3 or (3) of this subsection shall apply, as applicable, subject to
4 the limits on annual adjustments stated in subdivision (6) of
5 this subsection;

6 (6) Except as stated in subdivision (4) of this subsection,
7 in transitioning to the contribution rates prescribed in this
8 subsection for periods beginning on or after July 1, 2021, the
9 employer contribution rate and the member contribution rate,
10 respectively, shall not increase by more than one percent or
11 decrease by more than one-half percent for any period from the
12 corresponding rate in effect immediately before such increase or
13 decrease; and

14 (7) The board of trustees shall certify to the employers
15 the contribution rate to be effective for July 1, 2021, and for
16 each following July first, no later than six months prior to the
17 date such rate is to be effective.

18 169.360. 1. Before the first of July of each year, the
19 board of trustees shall certify to each employer the amounts
20 which will become due and payable from each during the school
21 year next following to the general reserve fund. The amount so
22 certified shall be appropriated by each employer's board by a
23 resolution explicitly directing the appropriate officials to pay
24 the same, not later than July twenty-fifth of each year and
25 transferred to the retirement system on or before December
26 thirty-first of the same year.

27 2. Effective January 1, 2019, each employer shall transfer
28 its employer contributions to the retirement system promptly

1 following the end of each payroll period at the time the employer
2 transfers member contributions.

3 169.370. 1. Interest charges payable, the creation and
4 maintenance of reserves in the general reserve fund and the
5 payment of all retirement allowances, refunds and other benefits
6 and expenses are hereby made obligations chargeable against the
7 general reserve fund and not of the school district, and the
8 moneys placed in the general reserve fund shall not be diverted
9 or used for other purposes.

10 2. No alteration, amendment or repeal of sections 169.270
11 to 169.400 shall be deemed to affect the rights of members of any
12 retirement system established thereunder with reference to
13 deposits previously made, or to reduce any accrued or potential
14 benefits to those who are members at the time when such
15 alterations, amendments, or repeal becomes effective or to reduce
16 the amount of any retirement allowance then payable.

17 3. Notwithstanding the provisions of subsection 2 of this
18 section to the contrary, the employee benefits provided to a
19 member who first becomes an employee on or after August 28, 2018,
20 covered under sections 169.270 to 169.400, and any other
21 provision with regard to a member covered under those sections,
22 may be altered, amended, increased, decreased, or repealed, but
23 only with respect to services rendered by the member after the
24 effective date of such alteration, amendment, increase, decrease,
25 or repeal, or, with respect to interest credits, for periods of
26 time after the effective date of such alteration, amendment,
27 increase, decrease, or repeal.

28 278.157. 1. Notwithstanding the provisions of section

1 70.600 to the contrary, a soil and water conservation district
2 organized under sections 278.060 to 278.155 shall be considered a
3 political subdivision for the purposes of sections 70.600 to
4 70.755, and employees of such a soil and water conservation
5 district shall be eligible for membership in the Missouri local
6 government employees' retirement system upon the soil and water
7 district becoming an "employer" as defined in subdivision (11) of
8 section 70.600.

9 2. Prior to the soil and water commission declaring a soil
10 and water conservation district disestablished under section
11 278.150, the soil and water commission shall make a determination
12 that all outstanding indebtedness of the soil and water
13 conservation district has been paid, including moneys owed to any
14 retirement plan or system in which the soil and water
15 conservation district participates and has pledged to pay for the
16 unfunded accrued liability of past and current employees.