

AN ACT

ENTITLED, An Act to revise the method of calculating retirement benefits for South Dakota Retirement System members whose benefits are suspended upon reemployment after retirement.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 3-12-82 be amended to read as follows:

3-12-82. If less than one year of credited service is performed after last reentry, a retired member shall receive an allowance equal to the allowance the member would have received had the member not returned to employment, plus a refund of the member's contributions made during the period after last reentry.

If one year or more of service is performed after reentry into employment, a retired member shall receive upon subsequent retirement an allowance based upon the member's total credited service and compensation from both initial and subsequent retirement. The member's total credited service from both initial and subsequent employment shall be taken into account in calculating a reduction, if any, in the member's allowance pursuant to § 3-12-106.

Section 2. That § 3-12-111 be amended to read as follows:

3-12-111. If a retiree becomes employed as a permanent full-time employee by a participating unit prior to normal retirement age, the payment of the member's annuity shall be suspended during the employment. If the member again retires, the member's annuity shall be recalculated to consider all the member's credited service and final compensation from both initial and subsequent employment, adjusted for the present value of annuity payments made during the member's first period of retirement. Any adjustment due to the annuity payments shall be calculated over the member's life expectancy. This section applies only to a member who retires with a reduction of the member's retirement allowance pursuant to § 3-12-106.

Section 3. The provisions of this Act apply to any member whose benefits are suspended pursuant to § 3-12-111 on the effective date of this Act. The provisions of this Act apply to any

member whose benefits previously were suspended pursuant to § 3-12-111, if the member elects to have the provisions apply.

Section 4. Any increase in a member's retirement benefit as a result of the provisions of this Act shall be prospective only from the effective date of this Act.

An Act to revise the method of calculating retirement benefits for South Dakota Retirement System members whose benefits are suspended upon reemployment after retirement.

=====
I certify that the attached Act
originated in the
SENATE as Bill No. 36

Secretary of the Senate

President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 36
File No.
Chapter No.

=====
Received at this Executive Office
this \_\_\_ day of \_\_\_\_\_,
19\_\_ at \_\_\_ M.

By \_\_\_\_\_
for the Governor

The attached Act is hereby
approved this \_\_\_ day of
\_\_\_\_\_, A.D., 19\_\_

Governor

STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed \_\_\_\_\_, 19\_\_
at \_\_\_\_\_ o'clock \_\_\_ M.

Secretary of State

By \_\_\_\_\_
Asst. Secretary of State