

# State of South Dakota

SEVENTY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 1999

995C0551

## SENATE BILL NO. 142

Introduced by: Senators Symens, Benson, Drake, Dunn (Rebecca), Duxbury, Hutmacher, and Olson and Representatives Haley, Fischer-Clemens, and Putnam

1 FOR AN ACT ENTITLED, An Act to revise the methods for purchase of prior service credit  
2 for the South Dakota Retirement System.

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

4 Section 1. That § 3-12-83 be amended to read as follows:

5 3-12-83. A current contributing member of the system may receive credited service by  
6 election to make, or have made on ~~his~~ the member's behalf, contributions, based on the higher  
7 of ~~his~~ the member's current compensation, or ~~his~~ the member's final compensation calculated as  
8 if ~~he~~ the member had retired on the date of election, at seventy-five percent of twice the member  
9 rate, for each year of service for which ~~he~~ the member wishes to receive credit, if:

10 (1) The current contributing member of the system could have established credit for any  
11 South Dakota public service by making contributions under this chapter or any prior  
12 law; or

13 (2) The current contributing member was not permitted to establish credit for any South  
14 Dakota public service.

15 The amount of the credited service and the rate of contribution shall be at class A rates unless  
16 the service for which credit is sought was rendered as a class B member in which case class B

1 rates shall apply. If a participating unit has failed to pay employer or member contributions to  
2 the system on behalf of a member as required under this chapter or under any predecessor system  
3 consolidated pursuant to § 3-12-46, the amount due the system shall be calculated in accordance  
4 with this section.

5 However, any former elective official who wishes to purchase service for which the official  
6 elected not to participate, pursuant to § 3-12-63, shall make all contributions personally; no  
7 contributions may be made on the official's behalf.