

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend Senate Bill No. 247, Page 1, Section Title, Lines 2-3,

2 by striking "an income tax deduction for the sale of certain
 3 employer securities" and inserting in lieu thereof the
 4 following: "retirement"; and

5 Further amend said bill, page 3, section 143.114, line
 6 67, by inserting after all of said line the following:

7 "169.070. 1. The retirement allowance of a member
 8 whose age at retirement is sixty years or more and whose
 9 creditable service is five years or more, or whose sum of
 10 age and creditable service equals eighty years or more, or
 11 who has attained age fifty-five and whose creditable service
 12 is twenty-five years or more or whose creditable service is
 13 thirty years or more regardless of age, may be the sum of
 14 the following items, not to exceed one hundred percent of
 15 the member's final average salary:

16 (1) Two and five-tenths percent of the member's final
 17 average salary for each year of membership service;

18 (2) Six-tenths of the amount payable for a year of
 19 membership service for each year of prior service not
 20 exceeding thirty years.

21 In lieu of the retirement allowance otherwise provided in
 22 subdivisions (1) and (2) of this subsection, a member may
 23 elect to receive a retirement allowance of:

24 (3) Two and four-tenths percent of the member's final
 25 average salary for each year of membership service, if the

26 member's creditable service is twenty-nine years or more but
27 less than thirty years, and the member has not attained age
28 fifty-five;

29 (4) Two and thirty-five-hundredths percent of the
30 member's final average salary for each year of membership
31 service, if the member's creditable service is twenty-eight
32 years or more but less than twenty-nine years, and the
33 member has not attained age fifty-five;

34 (5) Two and three-tenths percent of the member's final
35 average salary for each year of membership service, if the
36 member's creditable service is twenty-seven years or more
37 but less than twenty-eight years, and the member has not
38 attained age fifty-five;

39 (6) Two and twenty-five-hundredths percent of the
40 member's final average salary for each year of membership
41 service, if the member's creditable service is twenty-six
42 years or more but less than twenty-seven years, and the
43 member has not attained age fifty-five;

44 (7) Two and two-tenths percent of the member's final
45 average salary for each year of membership service, if the
46 member's creditable service is twenty-five years or more but
47 less than twenty-six years, and the member has not attained
48 age fifty-five;

49 (8) [Between July 1, 2001, and July 1, 2014,] Two and
50 fifty-five hundredths percent of the member's final average
51 salary for each year of membership service, if the member's
52 creditable service is [thirty-one] thirty-two years or more
53 regardless of age.

54 2. In lieu of the retirement allowance provided in
55 subsection 1 of this section, a member whose age is sixty
56 years or more on September 28, 1975, may elect to have the
57 member's retirement allowance calculated as a sum of the
58 following items:

124 for the remainder of the one hundred twenty
125 monthly payments, the total of the remainder of
126 such one hundred twenty monthly payments shall
127 be paid to the surviving spouse, surviving
128 children in equal shares, surviving parents in
129 equal shares, or estate of the last person, in
130 that order of precedence, to receive a monthly
131 allowance in a lump sum payment. If the total
132 of the one hundred twenty payments paid to the
133 retired individual and the beneficiary of the
134 retired individual is less than the total of the
135 member's accumulated contributions, the
136 difference shall be paid to the beneficiary in a
137 lump sum; or

138 Option 6.

139 Upon the death of the member prior to the member
140 having received sixty monthly payments of the
141 member's reduced allowance, the remainder of the
142 sixty monthly payments of the reduced allowance
143 shall be paid to such beneficiary as the member
144 shall have nominated in the member's election of
145 the option or in a subsequent nomination. If
146 there is no beneficiary so nominated who
147 survives the member for the remainder of the
148 sixty monthly payments, the total of the
149 remainder of such sixty monthly payments shall
150 be paid to the surviving spouse, surviving
151 children in equal shares, surviving parents in
152 equal shares, or estate of the last person, in
153 that order of precedence, to receive a monthly
154 allowance in a lump sum payment. If the total
155 of the sixty payments paid to the retired
156 individual and the beneficiary of the retired

157 individual is less than the total of the
158 member's accumulated contributions, the
159 difference shall be paid to the beneficiary in a
160 lump sum.

161 (2) The election of an option may be made only in the
162 application for retirement and such application must be
163 filed prior to the date on which the retirement of the
164 member is to be effective. If either the member or the
165 person nominated to receive the survivorship payments dies
166 before the effective date of retirement, the option shall
167 not be effective, provided that:

168 (a) If the member or a person retired on disability
169 retirement dies after acquiring twenty-five or more years of
170 creditable service or after attaining the age of fifty-five
171 years and acquiring five or more years of creditable service
172 and before retirement, except retirement with disability
173 benefits, and the person named by the member as the member's
174 beneficiary has an insurable interest in the life of the
175 deceased member, the designated beneficiary may elect to
176 receive either survivorship benefits under option 2 or a
177 payment of the accumulated contributions of the member. If
178 survivorship benefits under option 2 are elected and the
179 member at the time of death would have been eligible to
180 receive an actuarial equivalent of the member's retirement
181 allowance, the designated beneficiary may further elect to
182 defer the option 2 payments until the date the member would
183 have been eligible to receive the retirement allowance
184 provided in subsection 1 or 2 of this section;

185 (b) If the member or a person retired on disability
186 retirement dies before attaining age fifty-five but after
187 acquiring five but fewer than twenty-five years of
188 creditable service, and the person named as the member's
189 beneficiary has an insurable interest in the life of the

190 deceased member, the designated beneficiary may elect to
191 receive either a payment of the member's accumulated
192 contributions, or survivorship benefits under option 2 to
193 begin on the date the member would first have been eligible
194 to receive an actuarial equivalent of the member's
195 retirement allowance, or to begin on the date the member
196 would first have been eligible to receive the retirement
197 allowance provided in subsection 1 or 2 of this section.

198 4. If the total of the retirement or disability
199 allowance paid to an individual before the death of the
200 individual is less than the accumulated contributions at the
201 time of retirement, the difference shall be paid to the
202 beneficiary of the individual, or to the surviving spouse,
203 surviving children in equal shares, surviving parents in
204 equal shares, or estate of the individual in that order of
205 precedence. If an optional benefit as provided in option 2,
206 3 or 4 in subsection 3 of this section had been elected, and
207 the beneficiary dies after receiving the optional benefit,
208 and if the total retirement allowance paid to the retired
209 individual and the beneficiary of the retired individual is
210 less than the total of the contributions, the difference
211 shall be paid to the surviving spouse, surviving children in
212 equal shares, surviving parents in equal shares, or estate
213 of the beneficiary, in that order of precedence, unless the
214 retired individual designates a different recipient with the
215 board at or after retirement.

216 5. If a member dies and his or her financial
217 institution is unable to accept the final payment or
218 payments due to the member, the final payment or payments
219 shall be paid to the beneficiary of the member or, if there
220 is no beneficiary, to the surviving spouse, surviving
221 children in equal shares, surviving parents in equal shares,
222 or estate of the member, in that order of precedence, unless

223 otherwise stated. If the beneficiary of a deceased member
224 dies and his or her financial institution is unable to
225 accept the final payment or payments, the final payment or
226 payments shall be paid to the surviving spouse, surviving
227 children in equal shares, surviving parents in equal shares,
228 or estate of the member, in that order of precedence, unless
229 otherwise stated.

230 6. If a member dies before receiving a retirement
231 allowance, the member's accumulated contributions at the
232 time of the death of the member shall be paid to the
233 beneficiary of the member or, if there is no beneficiary, to
234 the surviving spouse, surviving children in equal shares,
235 surviving parents in equal shares, or to the estate of the
236 member, in that order of precedence; except that, no such
237 payment shall be made if the beneficiary elects option 2 in
238 subsection 3 of this section, unless the beneficiary dies
239 before having received benefits pursuant to that subsection
240 equal to the accumulated contributions of the member, in
241 which case the amount of accumulated contributions in excess
242 of the total benefits paid pursuant to that subsection shall
243 be paid to the surviving spouse, surviving children in equal
244 shares, surviving parents in equal shares, or estate of the
245 beneficiary, in that order of precedence.

246 7. If a member ceases to be a public school employee
247 as herein defined and certifies to the board of trustees
248 that such cessation is permanent, or if the membership of
249 the person is otherwise terminated, the member shall be paid
250 the member's accumulated contributions with interest.

251 8. Notwithstanding any provisions of sections 169.010
252 to 169.141 to the contrary, if a member ceases to be a
253 public school employee after acquiring five or more years of
254 membership service in Missouri, the member may at the option
255 of the member leave the member's contributions with the

256 retirement system and claim a retirement allowance any time
257 after reaching the minimum age for voluntary retirement.
258 When the member's claim is presented to the board, the
259 member shall be granted an allowance as provided in sections
260 169.010 to 169.141 on the basis of the member's age, years
261 of service, and the provisions of the law in effect at the
262 time the member requests the member's retirement to become
263 effective.

264 9. The retirement allowance of a member retired
265 because of disability shall be nine-tenths of the allowance
266 to which the member's creditable service would entitle the
267 member if the member's age were sixty, or fifty percent of
268 one-twelfth of the annual salary rate used in determining
269 the member's contributions during the last school year for
270 which the member received a year of creditable service
271 immediately prior to the member's disability, whichever is
272 greater, except that no such allowance shall exceed the
273 retirement allowance to which the member would have been
274 entitled upon retirement at age sixty if the member had
275 continued to teach from the date of disability until age
276 sixty at the same salary rate.

277 10. Notwithstanding any provisions of sections 169.010
278 to 169.141 to the contrary, from October 13, 1961, the
279 contribution rate pursuant to sections 169.010 to 169.141
280 shall be multiplied by the factor of two-thirds for any
281 member of the system for whom federal Old Age and Survivors
282 Insurance tax is paid from state or local tax funds on
283 account of the member's employment entitling the person to
284 membership in the system. The monetary benefits for a
285 member who elected not to exercise an option to pay into the
286 system a retroactive contribution of four percent on that
287 part of the member's annual salary rate which was in excess
288 of four thousand eight hundred dollars but not in excess of

289 eight thousand four hundred dollars for each year of
290 employment in a position covered by this system between July
291 1, 1957, and July 1, 1961, as provided in subsection 10 of
292 this section as it appears in RSMo, 1969, shall be the sum
293 of:

294 (1) For years of service prior to July 1, 1946, six-
295 tenths of the full amount payable for years of membership
296 service;

297 (2) For years of membership service after July 1,
298 1946, in which the full contribution rate was paid, full
299 benefits under the formula in effect at the time of the
300 member's retirement;

301 (3) For years of membership service after July 1,
302 1957, and prior to July 1, 1961, the benefits provided in
303 this section as it appears in RSMo, 1959; except that if the
304 member has at least thirty years of creditable service at
305 retirement the member shall receive the benefit payable
306 pursuant to that section as though the member's age were
307 sixty-five at retirement;

308 (4) For years of membership service after July 1,
309 1961, in which the two-thirds contribution rate was paid,
310 two-thirds of the benefits under the formula in effect at
311 the time of the member's retirement.

312 11. The monetary benefits for each other member for
313 whom federal Old Age and Survivors Insurance tax is or was
314 paid at any time from state or local funds on account of the
315 member's employment entitling the member to membership in
316 the system shall be the sum of:

317 (1) For years of service prior to July 1, 1946, six-
318 tenths of the full amount payable for years of membership
319 service;

320 (2) For years of membership service after July 1,
321 1946, in which the full contribution rate was paid, full

322 benefits under the formula in effect at the time of the
323 member's retirement;

324 (3) For years of membership service after July 1,
325 1957, in which the two-thirds contribution rate was paid,
326 two-thirds of the benefits under the formula in effect at
327 the time of the member's retirement.

328 12. Any retired member of the system who was retired
329 prior to September 1, 1972, or beneficiary receiving
330 payments under option 1 or option 2 of subsection 3 of this
331 section, as such option existed prior to September 1, 1972,
332 will be eligible to receive an increase in the retirement
333 allowance of the member of two percent for each year, or
334 major fraction of more than one-half of a year, which the
335 retired member has been retired prior to July 1, 1975. This
336 increased amount shall be payable commencing with January,
337 1976, and shall thereafter be referred to as the member's
338 retirement allowance. The increase provided for in this
339 subsection shall not affect the retired member's eligibility
340 for compensation provided for in section 169.580 or 169.585,
341 nor shall the amount being paid pursuant to these sections
342 be reduced because of any increases provided for in this
343 section.

344 13. If the board of trustees determines that the cost
345 of living, as measured by generally accepted standards,
346 increases two percent or more in the preceding fiscal year,
347 the board shall increase the retirement allowances which the
348 retired members or beneficiaries are receiving by two
349 percent of the amount being received by the retired member
350 or the beneficiary at the time the annual increase is
351 granted by the board with the provision that the increases
352 provided for in this subsection shall not become effective
353 until the fourth January first following the member's
354 retirement or January 1, 1977, whichever later occurs, or in

355 the case of any member retiring on or after July 1, 2000,
356 the increase provided for in this subsection shall not
357 become effective until the third January first following the
358 member's retirement, or in the case of any member retiring
359 on or after July 1, 2001, the increase provided for in this
360 subsection shall not become effective until the second
361 January first following the member's retirement. Commencing
362 with January 1, 1992, if the board of trustees determines
363 that the cost of living has increased five percent or more
364 in the preceding fiscal year, the board shall increase the
365 retirement allowances by five percent. The total of the
366 increases granted to a retired member or the beneficiary
367 after December 31, 1976, may not exceed eighty percent of
368 the retirement allowance established at retirement or as
369 previously adjusted by other subsections. If the cost of
370 living increases less than five percent, the board of
371 trustees may determine the percentage of increase to be made
372 in retirement allowances, but at no time can the increase
373 exceed five percent per year. If the cost of living
374 decreases in a fiscal year, there will be no increase in
375 allowances for retired members on the following January
376 first.

377 14. The board of trustees may reduce the amounts which
378 have been granted as increases to a member pursuant to
379 subsection 13 of this section if the cost of living, as
380 determined by the board and as measured by generally
381 accepted standards, is less than the cost of living was at
382 the time of the first increase granted to the member; except
383 that, the reductions shall not exceed the amount of
384 increases which have been made to the member's allowance
385 after December 31, 1976.

386 15. Any application for retirement shall include a
387 sworn statement by the member certifying that the spouse of

388 the member at the time the application was completed was
389 aware of the application and the plan of retirement elected
390 in the application.

391 16. Notwithstanding any other provision of law, any
392 person retired prior to September 28, 1983, who is receiving
393 a reduced retirement allowance under option 1 or option 2 of
394 subsection 3 of this section, as such option existed prior
395 to September 28, 1983, and whose beneficiary nominated to
396 receive continued retirement allowance payments under the
397 elected option dies or has died, shall upon application to
398 the board of trustees have his or her retirement allowance
399 increased to the amount he or she would have been receiving
400 had the option not been elected, actuarially adjusted to
401 recognize any excessive benefits which would have been paid
402 to him or her up to the time of application.

403 17. Benefits paid pursuant to the provisions of the
404 public school retirement system of Missouri shall not exceed
405 the limitations of Section 415 of Title 26 of the United
406 States Code except as provided pursuant to this subsection.
407 Notwithstanding any other law to the contrary, the board of
408 trustees may establish a benefit plan pursuant to Section
409 415(m) of Title 26 of the United States Code. Such plan
410 shall be created solely for the purpose described in Section
411 415(m) (3) (A) of Title 26 of the United States Code. The
412 board of trustees may promulgate regulations necessary to
413 implement the provisions of this subsection and to create
414 and administer such benefit plan.

415 18. Notwithstanding any other provision of law to the
416 contrary, any person retired before, on, or after May 26,
417 1994, shall be made, constituted, appointed and employed by
418 the board as a special consultant on the matters of
419 education, retirement and aging, and upon request shall give
420 written or oral opinions to the board in response to such

421 requests. As compensation for such duties the person shall
422 receive an amount based on the person's years of service so
423 that the total amount received pursuant to sections 169.010
424 to 169.141 shall be at least the minimum amounts specified
425 in subdivisions (1) to (4) of this subsection. In
426 determining the minimum amount to be received, the amounts
427 in subdivisions (3) and (4) of this subsection shall be
428 adjusted in accordance with the actuarial adjustment, if
429 any, that was applied to the person's retirement allowance.
430 In determining the minimum amount to be received, beginning
431 September 1, 1996, the amounts in subdivisions (1) and (2)
432 of this subsection shall be adjusted in accordance with the
433 actuarial adjustment, if any, that was applied to the
434 person's retirement allowance due to election of an optional
435 form of retirement having a continued monthly payment after
436 the person's death. Notwithstanding any other provision of
437 law to the contrary, no person retired before, on, or after
438 May 26, 1994, and no beneficiary of such a person, shall
439 receive a retirement benefit pursuant to sections 169.010 to
440 169.141 based on the person's years of service less than the
441 following amounts:

442 (1) Thirty or more years of service, one thousand two
443 hundred dollars;

444 (2) At least twenty-five years but less than thirty
445 years, one thousand dollars;

446 (3) At least twenty years but less than twenty-five
447 years, eight hundred dollars;

448 (4) At least fifteen years but less than twenty years,
449 six hundred dollars.

450 19. Notwithstanding any other provisions of law to the
451 contrary, any person retired prior to May 26, 1994, and any
452 designated beneficiary of such a retired member who was
453 deceased prior to July 1, 1999, shall be made, constituted,

454 appointed and employed by the board as a special consultant
455 on the matters of education, retirement or aging and upon
456 request shall give written or oral opinions to the board in
457 response to such requests. Beginning September 1, 1996, as
458 compensation for such service, the member shall have added,
459 pursuant to this subsection, to the member's monthly annuity
460 as provided by this section a dollar amount equal to the
461 lesser of sixty dollars or the product of two dollars
462 multiplied by the member's number of years of creditable
463 service. Beginning September 1, 1999, the designated
464 beneficiary of the deceased member shall as compensation for
465 such service have added, pursuant to this subsection, to the
466 monthly annuity as provided by this section a dollar amount
467 equal to the lesser of sixty dollars or the product of two
468 dollars multiplied by the member's number of years of
469 creditable service. The total compensation provided by this
470 section including the compensation provided by this
471 subsection shall be used in calculating any future cost-of-
472 living adjustments provided by subsection 13 of this section.

473 20. Any member who has retired prior to July 1, 1998,
474 and the designated beneficiary of a deceased retired member
475 shall be made, constituted, appointed and employed by the
476 board as a special consultant on the matters of education,
477 retirement and aging, and upon request shall give written or
478 oral opinions to the board in response to such requests. As
479 compensation for such duties the person shall receive a
480 payment equivalent to eight and seven-tenths percent of the
481 previous month's benefit, which shall be added to the
482 member's or beneficiary's monthly annuity and which shall
483 not be subject to the provisions of subsections 13 and 14 of
484 this section for the purposes of the limit on the total
485 amount of increases which may be received.

486 21. Any member who has retired shall be made,
487 constituted, appointed and employed by the board as a
488 special consultant on the matters of education, retirement
489 and aging, and upon request shall give written or oral
490 opinions to the board in response to such request. As
491 compensation for such duties, the beneficiary of the retired
492 member, or, if there is no beneficiary, the surviving
493 spouse, surviving children in equal shares, surviving
494 parents in equal shares, or estate of the retired member, in
495 that order of precedence, shall receive as a part of
496 compensation for these duties a death benefit of five
497 thousand dollars.

498 22. Any member who has retired prior to July 1, 1999,
499 and the designated beneficiary of a retired member who was
500 deceased prior to July 1, 1999, shall be made, constituted,
501 appointed and employed by the board as a special consultant
502 on the matters of education, retirement and aging, and upon
503 request shall give written or oral opinions to the board in
504 response to such requests. As compensation for such duties,
505 the person shall have added, pursuant to this subsection, to
506 the monthly annuity as provided by this section a dollar
507 amount equal to five dollars times the member's number of
508 years of creditable service.

509 23. Any member who has retired prior to July 1, 2000,
510 and the designated beneficiary of a deceased retired member
511 shall be made, constituted, appointed and employed by the
512 board as a special consultant on the matters of education,
513 retirement and aging, and upon request shall give written or
514 oral opinions to the board in response to such requests. As
515 compensation for such duties, the person shall receive a
516 payment equivalent to three and five-tenths percent of the
517 previous month's benefit, which shall be added to the member
518 or beneficiary's monthly annuity and which shall not be

519 subject to the provisions of subsections 13 and 14 of this
520 section for the purposes of the limit on the total amount of
521 increases which may be received.

522 24. Any member who has retired prior to July 1, 2001,
523 and the designated beneficiary of a deceased retired member
524 shall be made, constituted, appointed and employed by the
525 board as a special consultant on the matters of education,
526 retirement and aging, and upon request shall give written or
527 oral opinions to the board in response to such requests. As
528 compensation for such duties, the person shall receive a
529 dollar amount equal to three dollars times the member's
530 number of years of creditable service, which shall be added
531 to the member's or beneficiary's monthly annuity and which
532 shall not be subject to the provisions of subsections 13 and
533 14 of this section for the purposes of the limit on the
534 total amount of increases which may be received.

535 169.141. 1. Any person receiving a retirement
536 allowance under sections 169.010 to 169.140, and who elected
537 a reduced retirement allowance under subsection 3 of section
538 169.070 with his or her spouse as the nominated beneficiary,
539 may nominate a successor beneficiary under either of the
540 following circumstances:

541 (1) If the nominated beneficiary precedes the retired
542 person in death, the retired person may, upon remarriage,
543 nominate the new spouse under the same option elected in the
544 application for retirement;

545 (2) If the marriage of the retired person and the
546 nominated beneficiary is dissolved, and if the dissolution
547 decree provides for sole retention by the retired person of
548 all rights in the retirement allowance, the retired person
549 may, upon remarriage, nominate the new spouse under the same
550 option elected in the application for retirement.

551 2. Any nomination of a successor beneficiary under
552 subdivision (1) or (2) of subsection 1 of this section must
553 be made in accordance with procedures established by the
554 board of trustees, and must be filed within ninety days of
555 May 6, 1993, or within one year of the remarriage, whichever
556 later occurs. Upon receipt of a successor nomination filed
557 in accordance with those procedures, the board shall adjust
558 the retirement allowance to reflect actuarial considerations
559 of that nomination as well as previous beneficiary and
560 successor beneficiary nominations.

561 3. Any person receiving a retirement allowance under
562 sections 169.010 to 169.140 who elected a reduced retirement
563 allowance under subsection 3 of section 169.070 with his or
564 her spouse as the nominated beneficiary may have the
565 retirement allowance increased to the amount the retired
566 member would be receiving had the retired member elected
567 option 1 if:

568 (1) The marriage of the retired person and the
569 nominated spouse is dissolved on or after September 1, 2017,
570 and the dissolution decree provides for sole retention by
571 the retired person of all rights in the retirement
572 allowance; or

573 (2) The marriage of the retired person and the
574 nominated spouse was dissolved before September 1, 2017, and:

575 (a) The dissolution decree provides for sole retention
576 by the retired person of all rights in the retirement
577 allowance, and the parties obtain an amended or modified
578 dissolution decree after September 1, 2017, providing for
579 the immediate removal of the nominated spouse, or the
580 nominated spouse consents in writing to his or her immediate
581 removal as nominated beneficiary and disclaims all rights to
582 future benefits to the satisfaction of the board of
583 trustees; or

584 (b) The dissolution decree does not provide for sole
585 retention by the retired person of all rights in the
586 retirement allowance and the parties obtain an amended or
587 modified dissolution decree after September 1, 2017, which
588 provides for sole retention by the retired person of all
589 rights in the retirement allowance; and

590 (3) The person receives a retirement allowance under
591 subsection 3 of section 169.070.

592 Any such increase in the retirement allowance shall be
593 effective upon the receipt of an application for such
594 increase and a certified copy of the decree of dissolution
595 and separation agreement, if applicable, that meets the
596 requirements of this section.

597 4. Any person receiving a retirement allowance under
598 sections 169.010 to 169.140, who, on or before September 1,
599 2015, elected a reduced retirement allowance under
600 subsection 3 of section 169.070 with his or her same-sex
601 domestic partner as the nominated beneficiary, may have the
602 retirement allowance increased to the amount the retired
603 member would be receiving had the retired member elected
604 option 1 if:

605 (1) The retired person executes an affidavit attesting
606 to the existence of a same-sex domestic partnership at the
607 time of the nomination of the beneficiary and that the same-
608 sex domestic partnership has since ended, with such
609 supporting information and documentation as required by the
610 board of trustees;

611 (2) The nominated beneficiary consents in writing to
612 his or her immediate removal as nominated beneficiary and
613 disclaims all rights to future benefits to the satisfaction
614 of the board of trustees, or the parties obtain a court
615 order or judgment after September 1, 2023, which provides
616 that the nominated beneficiary may be removed;

617 (3) If the retired person and the nominated
618 beneficiary were legally married in a state that recognized
619 same-sex marriage at the time of retirement or have since
620 become legally married, the marriage must be dissolved and
621 the dissolution decree must provide for sole retention by
622 the retired person of all rights in the retirement
623 allowance; and

624 (4) The person receives a retirement allowance under
625 subsection 3 of section 169.070.

626 5. Any person receiving a retirement allowance under
627 sections 169.010 to 169.140, who, on or before September 1,
628 2015, elected a reduced retirement allowance under
629 subsection 3 of section 169.070 with his or her same-sex
630 domestic partner as the nominated beneficiary, may nominate
631 a successor beneficiary under the following circumstances:

632 (1) If the nominated same-sex domestic partner
633 precedes the retired person in death, and the retired person
634 executes an affidavit attesting to the existence of the same-
635 sex domestic partnership at the time of the nomination of
636 the beneficiary, the retired person may, upon a later
637 marriage, nominate his or her spouse under the same option
638 elected in the application for retirement; or

639 (2) If the retired person executes an affidavit
640 attesting to the existence of the same-sex domestic
641 partnership at the time of the nomination of the beneficiary
642 and that the same-sex domestic partnership has since ended,
643 and the nominated same-sex domestic partner consents in
644 writing to his or her immediate removal as nominated
645 beneficiary and disclaims all rights to future benefits to
646 the satisfaction of the board of trustees or the parties
647 obtain a court order or judgment after September 1, 2023,
648 which provides that the nominated beneficiary may be
649 removed, the retired person may, upon a later marriage,

650 nominate his or her spouse under the same option elected in
651 the application for retirement;

652 (3) In addition to the requirements of subsection (2)
653 of this section, if the retired person and the nominated
654 beneficiary were legally married in a state that recognized
655 same-sex marriage at the time of retirement or have since
656 become legally married, the marriage must be dissolved and
657 the dissolution decree must provide for sole retention by
658 the retired person of all rights in the retirement allowance.

659 6. Any nomination of successor beneficiary under
660 subdivision (1) or (2) of subsection 5 of this section shall
661 be made in accordance with procedures established by the
662 board of trustees, and shall be filed within one year of
663 September 1, 2023, or within one year of the marriage of the
664 retired person and successor beneficiary, whichever later
665 occurs. Upon receipt of a successor nomination filed in
666 accordance with those procedures, the board shall adjust the
667 retirement allowance to reflect actuarial considerations of
668 that nomination as well as previous beneficiary and
669 successor beneficiary nominations.

670 7. For purposes of this section, the definition of
671 "same-sex domestic partners" shall be individuals of the
672 same sex who are at least eighteen years of age, who are not
673 related to a degree that would prohibit their marriage in
674 the law of the state where they reside, who are not married
675 to or a domestic partner of another person, and who live
676 together in a long-term relationship of indefinite duration
677 with an exclusive mutual commitment in which the domestic
678 partners agree to be jointly responsible for their common
679 welfare and to share financial obligations. For purposes of
680 this section, "same-sex domestic partners" shall also
681 include individuals of the same sex who were legally married
682 in a state that recognized same-sex marriage.

683 169.560. 1. Any person retired and currently
684 receiving a retirement allowance pursuant to sections
685 169.010 to 169.141, other than for disability, may be
686 employed in any capacity for an employer included in the
687 retirement system created by those sections on either a part-
688 time or temporary-substitute basis not to exceed a total of
689 five hundred fifty hours in any one school year, and through
690 such employment may earn up to fifty percent of the annual
691 compensation payable under the employer's salary schedule
692 for the position or positions filled by the retiree, given
693 such person's level of experience and education, without a
694 discontinuance of the person's retirement allowance. If the
695 employer does not utilize a salary schedule, or if the
696 position in question is not subject to the employer's salary
697 schedule, a retiree employed in accordance with the
698 provisions of this subsection may earn up to fifty percent
699 of the annual compensation paid to the person or persons who
700 last held such position or positions. If the position or
701 positions did not previously exist, the compensation limit
702 shall be determined in accordance with rules duly adopted by
703 the board of trustees of the retirement system; provided
704 that, it shall not exceed fifty percent of the annual
705 compensation payable for the position by the employer that
706 is most comparable to the position filled by the retiree.
707 In any case where a retiree fills more than one position
708 during the school year, the fifty-percent limit on permitted
709 earning shall be based solely on the annual compensation of
710 the highest paid position occupied by the retiree for at
711 least one-fifth of the total hours worked during the year.
712 Such a person shall not contribute to the retirement system
713 or to the public education employee retirement system
714 established by sections 169.600 to 169.715 because of
715 earnings during such period of employment. If such a person

716 is employed in any capacity by such an employer in excess of
717 the limitations set forth in this subsection, the person
718 shall not be eligible to receive the person's retirement
719 allowance for any month during which the person is so
720 employed. In addition, such person shall contribute to the
721 retirement system if the person satisfies the retirement
722 system's membership eligibility requirements. In addition
723 to the conditions set forth above, this subsection shall
724 apply to any person retired and currently receiving a
725 retirement allowance under sections 169.010 to 169.141,
726 other than for disability, who is employed by a third party
727 or is performing work as an independent contractor, if such
728 person is performing work for an employer included in the
729 retirement system as a temporary or long-term substitute
730 teacher or in any other position that would normally require
731 that person to be duly certificated under the laws governing
732 the certification of teachers in Missouri if such person was
733 employed by the district. The retirement system may require
734 the employer, the third-party employer, the independent
735 contractor, and the retiree subject to this subsection to
736 provide documentation showing compliance with this
737 subsection. If such documentation is not provided, the
738 retirement system may deem the retiree to have exceeded the
739 limitations provided in this subsection.

740 2. Notwithstanding any other provision of this
741 section, any person retired and currently receiving a
742 retirement allowance in accordance with sections 169.010 to
743 169.141, other than for disability, may be employed by an
744 employer included in the retirement system created by those
745 sections in a position that does not normally require a
746 person employed in that position to be duly certificated
747 under the laws governing the certification of teachers in
748 Missouri, and through such employment may earn, beginning on

749 August 28, 2023, and ending on June 30, 2028, up to [sixty
750 percent of the minimum teacher's salary as set forth in
751 section 163.172] one hundred thirty-three percent of the
752 annual earnings exemption amount applicable to a Social
753 Security recipient before the calendar year of attainment of
754 full retirement age under 20 CFR 404.430, and, after June
755 30, 2028, up to the annual earnings exemption amount
756 applicable to a Social Security recipient before the
757 calendar year of attainment of full retirement age under 20
758 CFR 404.420, without a discontinuance of the person's
759 retirement allowance from the retirement system. The Social
760 Security annual earnings exemption amount applied shall be
761 the exemption amount in effect for the calendar year in
762 which the school year begins. Such person shall not
763 contribute to the retirement system or to the public
764 education employee retirement system established by sections
765 169.600 to 169.715 because of earnings during such period of
766 employment, and such person shall not earn membership
767 service for such employment. The employer's contribution
768 rate shall be paid by the hiring employer into the public
769 education employee retirement system established by sections
770 169.600 to 169.715. If such a person is employed in any
771 capacity by an employer in excess of the limitations set
772 forth in this subsection, the person shall not be eligible
773 to receive the person's retirement allowance for any month
774 during which the person is so employed. In addition, such
775 person shall become a member of and contribute to any
776 retirement system described in this subsection if the person
777 satisfies the retirement system's membership eligibility
778 requirements. The provisions of this subsection shall not
779 apply to any person retired and currently receiving a
780 retirement allowance in accordance with sections 169.010 to

781 169.141 employed by a public community college or employer
782 under subsection 4 of section 169.130.

783 169.596. 1. Notwithstanding any other provision of
784 this chapter to the contrary, a retired certificated teacher
785 receiving a retirement benefit from the retirement system
786 established pursuant to sections 169.010 to 169.141 may,
787 without losing his or her retirement benefit, teach full
788 time for up to ~~two~~ four years for a school district
789 covered by such retirement system; provided that the school
790 district has a shortage of certified teachers, as determined
791 by the school district, and provided that no such retired
792 certificated teacher shall be employed as a superintendent.
793 The total number of such retired certificated teachers shall
794 not exceed, at any one time, the ~~lesser of ten percent of~~
795 ~~the total teacher~~ greater of one percent of the total
796 certificated teachers and noncertificated staff for that
797 school district, or five certificated teachers.

798 2. Notwithstanding any other provision of this chapter
799 to the contrary, a person receiving a retirement benefit
800 from the retirement system established pursuant to sections
801 169.600 to 169.715 may, without losing his or her retirement
802 benefit, be employed full time for up to ~~two~~ four years
803 for a school district covered by such retirement system;
804 provided that the school district has a shortage of
805 noncertificated employees, as determined by the school
806 district. The total number of such retired noncertificated
807 employees shall not exceed, at any one time, the lesser of
808 ten percent of the total noncertificated staff for that
809 school district, or five employees.

810 3. The employer's contribution rate shall be paid by
811 the hiring school district.

812 4. In order to hire teachers and noncertificated
813 employees pursuant to the provisions of this section, the
814 school district shall:

815 (1) Show a good faith effort to fill positions with
816 nonretired certificated teachers or nonretired
817 noncertificated employees;

818 (2) Post the vacancy for at least one month;

819 (3) Have not offered early retirement incentives for
820 either of the previous two years;

821 (4) Solicit applications through the local newspaper,
822 other media, or teacher education programs;

823 (5) Determine there is an insufficient number of
824 eligible applicants for the advertised position; and

825 (6) Declare a critical shortage of certificated
826 teachers or noncertificated employees that is active for one
827 year.

828 5. Any person hired pursuant to this section shall be
829 included in the State Directory of New Hires for purposes of
830 income and eligibility verification pursuant to 42 U.S.C.
831 Section 1320b-7.

832 169.715. 1. Any person receiving a retirement
833 allowance under sections 169.600 to 169.712, and who elected
834 a reduced retirement allowance under subsection 4 of section
835 169.670 with his or her spouse as the nominated beneficiary,
836 may nominate a successor beneficiary under either of the
837 following circumstances:

838 (1) If the nominated beneficiary precedes the retired
839 person in death, the retired person may, upon remarriage,
840 nominate the new spouse under the same option elected in the
841 application for retirement;

842 (2) If the marriage of the retired person and the
843 nominated beneficiary is dissolved, and if the dissolution
844 decree provides for sole retention by the retired person of

845 all rights in the retirement allowance, the retired person
846 may, upon remarriage, nominate the new spouse under the same
847 option elected in the application for retirement.

848 2. Any nomination of a successor beneficiary under
849 subdivision (1) or (2) of subsection 1 of this section must
850 be made in accordance with procedures established by the
851 board of trustees, and must be filed within ninety days of
852 May 6, 1993, or within one year of the remarriage, whichever
853 later occurs. Upon receipt of a successor nomination filed
854 in accordance with those procedures, the board shall adjust
855 the retirement allowance to reflect actuarial considerations
856 of that nomination as well as previous beneficiary and
857 successor beneficiary nominations.

858 3. Any person receiving a retirement allowance under
859 sections 169.600 to 169.715 who elected a reduced retirement
860 allowance under subsection 4 of section 169.670 with his or
861 her spouse as the nominated beneficiary may have the
862 retirement allowance increased to the amount the retired
863 member would be receiving had the retired member elected
864 option 1 if:

865 (1) The marriage of the retired person and the
866 nominated spouse is dissolved on or after September 1, 2017,
867 and the dissolution decree provides for sole retention by
868 the retired person of all rights in the retirement
869 allowance; or

870 (2) The marriage of the retired person and the
871 nominated spouse was dissolved before September 1, 2017, and:

872 (a) The dissolution decree provides for sole retention
873 by the retired person of all rights in the retirement
874 allowance, and the parties obtain an amended or modified
875 dissolution decree after September 1, 2017, providing for
876 the immediate removal of the nominated spouse, or the
877 nominated spouse consents in writing to his or her immediate

878 removal as nominated beneficiary and disclaims all rights to
879 future benefits to the satisfaction of the board of
880 trustees; or

881 (b) The dissolution decree does not provide for sole
882 retention by the retired person of all rights in the
883 retirement allowance and the parties obtain an amended or
884 modified dissolution decree after September 1, 2017, which
885 provides for sole retention by the retired person of all
886 rights in the retirement allowance; and

887 (3) The person receives a retirement allowance under
888 subsection 4 of section 169.670.

889 Any such increase in the retirement allowance shall be
890 effective upon the receipt of an application for such
891 increase and a certified copy of the decree of dissolution
892 and separation agreement, if applicable, that meets the
893 requirements of this section.

894 4. Any person receiving a retirement allowance under
895 sections 169.600 to 169.712, who, on or before September 1,
896 2015, elected a reduced retirement allowance under
897 subsection 4 of section 169.670 with his or her same-sex
898 domestic partner as the nominated beneficiary, may have the
899 retirement allowance increased to the amount the retired
900 member would be receiving had the retired member elected
901 option 1 if:

902 (1) The retired person executes an affidavit attesting
903 to the existence of a same-sex domestic partnership at the
904 time of the nomination of the beneficiary and that the same-
905 sex domestic partnership has since ended, with such
906 supporting information and documentation as required by the
907 board of trustees;

908 (2) The nominated beneficiary consents in writing to
909 his or her immediate removal as nominated beneficiary and
910 disclaims all rights to future benefits to the satisfaction

911 of the board of trustees, or the parties obtain a court
912 order or judgment after September 1, 2023, which provides
913 that the nominated beneficiary may be removed;

914 (3) If the retired person and the nominated
915 beneficiary were legally married in a state that recognized
916 same-sex marriage at the time of retirement or have since
917 become legally married, the marriage must be dissolved and
918 the dissolution decree must provide for sole retention by
919 the retired person of all rights in the retirement
920 allowance; and

921 (4) The person receives a retirement allowance under
922 subsection 4 of section 169.670.

923 5. Any person receiving a retirement allowance under
924 sections 169.600 to 169.712, who, on or before September 1,
925 2015, elected a reduced retirement allowance under
926 subsection 4 of section 169.670 with his or her same-sex
927 domestic partner as the nominated beneficiary, may nominate
928 a successor beneficiary under the following circumstances:

929 (1) If the nominated same-sex domestic partner
930 precedes the retired person in death, and the retired person
931 executes an affidavit attesting to the existence of the same-
932 sex domestic partnership at the time of the nomination of
933 the beneficiary, the retired person may, upon a later
934 marriage, nominate his or her spouse under the same option
935 elected in the application for retirement; or

936 (2) If the retired person executes an affidavit
937 attesting to the existence of the same-sex domestic
938 partnership at the time of the nomination of the beneficiary
939 and that the same-sex domestic partnership has since ended,
940 and the nominated same-sex domestic partner consents in
941 writing to his or her immediate removal as nominated
942 beneficiary and disclaims all rights to future benefits to
943 the satisfaction of the board of trustees or the parties

944 obtain a court order or judgment after September 1, 2023,
945 which provides that the nominated beneficiary may be
946 removed, the retired person may, upon a later marriage,
947 nominate his or her spouse under the same option elected in
948 the application for retirement;

949 (3) In addition to the requirements of subdivision (2)
950 of this subsection, if the retired person and the nominated
951 beneficiary were legally married in a state that recognized
952 same-sex marriage at the time of retirement or have since
953 become legally married, the marriage must be dissolved and
954 the dissolution decree must provide for sole retention by
955 the retired person of all rights in the retirement allowance.

956 6. Any nomination of successor beneficiary under
957 subdivision (1) or (2) of subsection 5 of this section shall
958 be made in accordance with procedures established by the
959 board of trustees, and shall be filed within one year of
960 September 1, 2023, or within one year of the marriage of the
961 retired person and successor beneficiary, whichever later
962 occurs. Upon receipt of a successor nomination filed in
963 accordance with those procedures, the board shall adjust the
964 retirement allowance to reflect actuarial considerations of
965 that nomination as well as previous beneficiary and
966 successor beneficiary nominations.

967 7. For purposes of this section, the definition of
968 "same-sex domestic partners" shall mean individuals of the
969 same sex who are at least eighteen years of age, who are not
970 related to a degree that would prohibit their marriage in
971 the law of the state where they reside, who are not married
972 to or a domestic partner of another person, and who live
973 together in a long-term relationship of indefinite duration
974 with an exclusive mutual commitment in which the domestic
975 partners agree to be jointly responsible for their common
976 welfare and to share financial obligations. For purposes of

977 this section, "same-sex domestic partners" shall also
978 include individuals of the same sex who were legally married
979 in a state that recognized same-sex marriage."; and

980 Further amend the title and enacting clause accordingly.